

Health and Human Services Appropriations Bill Senate File 2425

Last Action:

Senate Floor

April 17, 2008

An Act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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EXECUTIVE SUMMARY NOBA

SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

FUNDING SUMMARY

- Appropriates a total of \$1,207.6 million from the General Fund and 7,108.6 FTE positions to the Departments of Elder Affairs, Public Health, Human Services, and Veterans Affairs, and the Iowa Veterans Home. This is an increase of \$31.1 million and 136.5 FTE positions compared to the estimated FY 2008 appropriations. This Bill provides supplemental appropriations of \$15.7 million from the IowaCare Account. The Bill provides an FY 2008 General Fund supplemental appropriation of \$7.5 million for the Medicaid Program.
- Appropriates a total of \$474.9 million from other funds. This is an increase of \$10.5 million compared to the estimated FY 2008 appropriations. This includes:
 - \$7.1 million from the Gambling Treatment Fund (GTF) to the Department of Public Health. This is a net decrease of \$375,000 compared to estimated FY 2008 for a decreased amount in the carryforward funds compared to that of previous years. The allocations in the Fund have been changed compared to FY 2008. (Page 7, Line 15 through Page 8, Line 10)
 - \$141.9 million from the Temporary Assistance to Needy Families (TANF) Fund to the Department of Human Services. This is a decrease of \$1.7 million compared to estimated FY 2008. Makes an \$8.5 million TANF FY 2008 supplemental appropriation for child care. (Page 9, Line 32 through Page 16, Line 6 and Page 93, Line 24 through Page 95, Line 6)
 - \$77.8 million from the Senior Living Trust Fund (SLTF) and no change in FTE positions to the Departments of Elder Affairs, Human Services, and Inspections and Appeals, and the Iowa Finance Authority. This is an increase of \$2.5 million and no change in FTE positions compared to estimated FY 2008. (Page 56, Line 35 through Page 59, Line 4)
 - \$624,000 from the Property Tax Relief Fund to the Medicaid Program. This is a new appropriation for FY 2009 for one-time money. (Page 65, Line 25)
 - \$1.3 million from the Pharmaceutical Settlement Account to Medical Contracts. This is no change compared to estimated FY 2008. (Page 59, Line 5)
 - \$112.3 million from the IowaCare Account to the Department of Human Services (DHS), the University of Iowa Hospitals and Clinics, and Polk County Broadlawns Medical Center. This is a decrease of \$6.6 million compared to estimated FY 2008. (Page 59, Line 14 through Page 62, Line 15)
There is also an FY 2008 supplemental appropriation of \$15.7 million from the IowaCare Account for the University of Iowa Hospitals and Clinics. (Page 102, Line 19, through Page 105, Line 16)
 - \$5.0 million from the Health Care Transformation Account (HCTA) to the DHS. This is a decrease of \$1.4 million compared to estimated FY 2008. (Page 62, Line 16 through Page 64, Line 33 and Page 100, Line 8)
 - \$128.9 million from the Health Care Trust Fund to various Departments. This is an increase of \$1.3 million compared to estimated FY 2008. (Page 84, Line 6 through Page 90, Line 18)

EXECUTIVE SUMMARY NOBA

SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

Makes the following General Fund or other fund changes for FY 2008:

- **Department of Elder Affairs:** A decrease of \$15,000 from the General Fund and an increase of 3.0 FTE positions compared to estimated FY 2008. (Page 1, Line 4)
- **Department of Public Health:** A net decrease of \$173,000 from the General Fund and an increase of 16.8 FTE positions compared to estimated FY 2008. The changes include:
 - A decrease of \$470,000 for Addictive Disorders. (Page 2, Line 29)
 - An increase of \$100,000 for Healthy Children and Families. (Page 3, Line 4)
 - An increase of \$400,000 for Chronic Conditions. (Page 4, Line 14)
- **Department of Human Services:** An increase of \$43.0 million from the General Fund and an increase of 113.6 FTE positions compared to estimated FY 2008. The changes include:
 - An increase of \$4.5 million for the Child Support Recovery Unit. (Page 18, Line 3)
 - A net increase of \$29.6 million for the Medical Assistance Program compared to FY 2008. (Page 18, Line 33)
 - A net increase of \$1.0 million for the State Children's Health Insurance Program. (Page 27, Line 16)
 - An increase of \$1.4 million for the Child Care Assistance Program. Provides transfers for the Program of \$7.1 million. (Page 28, Line 26; Page 95, Line 18 through Page 96, Line 15)
 - A net increase of \$37,000 for Child and Family Services. (Page 31, Line 6)
 - An increase of \$596,000 for the Adoption Subsidy Program. (Page 37, Line 22)
 - A net decrease of \$3.7 million for the two State Resource Centers. (Page 40, Line 14 through Page 41, Line 24)
 - An increase of \$2.0 million for the State Cases Program. (Page 41, Line 25)
 - A decrease of \$32,000 for the Sexual Predator Commitment Program. (Page 44, Line 17)
 - A net increase of \$197,000 for Field Operations and General Administration. (Page 45, Line 5 and Page 45, Line 18)
 - An increase of \$750,000 for Family Planning Services. This is a new appropriation for FY 2009. (Page 46, Line 6)
 - A net increase of \$5.2 million for Mental Health Allowed Growth, including a decrease of \$2.9 million to the appropriation for the Brain Injury Waiver funding in Medicaid. (Page 75, Line 9 through Page 79, Line 25)
 - Utilizes \$6.0 million of one-time funds available from the Medicaid behavioral health services contract for mental health and child welfare expenditures. (Page 24, Line 27)

EXECUTIVE SUMMARY NOBA

SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

STUDIES AND INTENT LANGUAGE

- ***Veterans Affairs:*** A decrease of \$4.4 million from the General Fund for the Department of Veterans Affairs compared to estimated FY 2008. This includes:
 - An increase of \$300,000 and 3.2 FTE positions for the Department of Veterans Affairs. (Page 8, Line 12)
 - A decrease of \$4.0 million for the Iowa Veterans Home. (Page 8, Line 28)
 - A decrease of \$150,000 for the County Veterans Grant Program. (Page 9, Line 7)
- ***Department of Public Health:***
 - Requires the DPH to perform a study of services and support for promoting healthy and kids. (Page 4, Line 9)
 - Permits the DPH to incur start-up costs for licensing of plumbers and mechanical professionals. (Page 6, Line 32)
- ***Department of Veterans Affairs:***
 - Requires the Iowa Veterans Home to submit billings to the DHS on a monthly basis. (Page 8, Line 34)
- ***Department of Human Services:***
 - Requires the Department of Human Services to work with Indian tribes to provide services under TANF. (Page 10, Line 35)
 - Requires certain components in FY 2010 and accounting in FY 2009 for the Medicaid behavioral health contract. (Page 24, Line 10)
 - Requires the DHS and providers to reduce the number of guaranteed shelter beds and develop emergency services for children. (Page 32, Line 32)
 - Requires the Chairs of the Health and Human Services Appropriations Subcommittee to convene a work group to review the Medicaid drug product selection process. (Page 55, Line 13)
 - Requires the DHS in cooperation with the UIHC and Broadlawns to review the IowaCare Program and develop a plan for continuation, expansion, or elimination beyond June 30, 2010. The report is to be submitted to the Medical Assistance Projections and Assessment Council by December 15, 2008. (Page 64, Line 34)
 - Specifies intent that the FY 2010 county mental health allowed growth will be distributed upon the FY 2008 county Mental Health Fund balances. (Page 79, Line 21)
 - Requests the Legislative Council to create an interim study committee for mental health funding. (Page 81, Line 5)
 - Requires the DHS to appoint an advisory committee to propose updating Code of Iowa language for the community mental health centers. (Page 82, Line 10)
- ***Board of Regents:***
 - Requires the Board of Regents President to convene a workgroup regarding health care treatment for inmates, students, patients, and former inmates. (Page 127, Line 6)

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SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Transfers non-Juvenile Detention Center allocations to the General Fund under Child Welfare for FY 2009. (Page 31, Line 6)
- Changes the payments for accountability measures for nursing facilities in the event of citations or deficiencies. (Page 52, Line 15)
- Alters the date for inclusion of deposits from the replacement generation tax within the Property Tax Relief Fund from November 1 to May 1 to provide for two property tax payments within the same fiscal year. (Page 66, Line 4)
- Creates an emergency mental health crisis services system and a mental health services system for children within the DHS. (Page 67, Line 12 through Page 75, Line 8)
- Permits the DHS to implement a regional service mental health network pilot project. (Page 79, Line 26)
- Removes the \$500,000 annual carryforward limit for the Iowa Veterans Home. (Page 90, Line 21)
- Supplements the FY 2008 Juvenile Detention Fund with a \$1.0 million transfer from the Healthy Iowans Tobacco Trust and a \$1.0 million FY 2008 transfer from the Department of Human Services (DHS) General Administration appropriation. (Page 90, Line 31 and Page 98, Line 27 and Line 30)
- Strikes the requirement for DHS to adjust the pharmacy dispensing fee to compensate for any harm done by the Federal Deficit Reduction Act of 2005. (Page 99, Line 1)
- Requires the Department of Administrative Services and the DHS to develop a policy to permit certain board or commission members to receive prepaid expenses. (Page 120, Line 22)
- Limits the implementation of the Brain Injury Cost Share Program to available funding. (Page 105, Line 30 through Page 107, Line 14)
- Creates an Early Childhood Iowa Advisory Council. (Page 107, Line 15 through Page 111, Line 2)
- Requires certain background and criminal checks for certain hospital and health care facility employees. (Page 111, Line 3 through Page 119, Line 34)
- Requires certain third party health care providers to pay for certain mental health services at psychiatric medical institutions for children (PMICs). (Page 119, Line 35)
- Requires the DHS to withhold family support subsidy payments when a certain termination appeal is in process. (Page 120, Line 35)
- Requires the DHS, the Department of Management, and the Legislative Services Agency to develop a joint process for Child Care and Adoption Subsidy Programs expenditure projections. (Page 121, Line 6)
- Requires the DHS to include marital and family therapists and Master Social Workers to be reimbursed for services within the Medicaid Program. (Page 122, Line 25)
- Changes the quarterly meeting for the Medical Assistance Projections and Assessment Council to an annual meeting. (Page 123 Line 9)

EXECUTIVE SUMMARY NOBA

SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

SIGNIFICANT CHANGES TO THE CODE OF IOWA (CONTINUED)

FY 2008 CARRYFORWARD OR SUPPLEMENTALS

- Creates an Iowa Autism Council in the Department of Education. (Page 124, Line 2)
- Requires participating insurers in the hawk-i Program to provide qualified health plans to children and prohibits a certain condition of participation for the plan. (Page 126, Line 18)
- Provides certain State unclaimed property be eligible to be used to offset child support obligations. (Page 126, Line 25)
- Adds animals to various actions relating to domestic violence petitions and court orders. (Page 128, Line 34 through Page 130, Line 10)
- Requires the Department of Education to establish a tuition pilot program for individuals serving individuals with disabilities. (Page 130, Line 12)
- Requires DHS to provide certain foster care children with recent health and education records. (Page 131, Line 34)
- Requires the County Medical Examiner to conduct a preliminary investigation for certain deaths at DHS facilities. (Page 132, Line 34)
- **Department of Public Health:** \$137,000 from the General Fund is carried forward to FY 2009 and \$1.5 million from the HCTF is carried forward to FY 2009. (Various Pages)
- **Department of Veterans Affairs:** \$4.6 million is from the General Fund is carried forward to FY 2009. (Page 91, Line 19 through Page 92, Line 2)
- **Department of Human Services:** \$1.0 million of FY 2008 funds is transferred from the Department and \$13.9 million is carried forward to FY 2009. (Various Pages)
- Reduces the FY 2008 TANF FIP appropriation by \$8.5 million and increases the TANF Child Care Assistance appropriation by \$8.5 million. (Page 93, Line 24)
- Appropriates \$230,000 from the Health Care Transformation Account for FY 2008 for Broadlawns Medical Center in Polk County for the IowaCare Program. (Page 100, Line 8)
- Transfers the FY 2008 funds remaining from the various FY 2008 Brain Injury Program funds to the Medical Assistance Program for FY 2009. (Page 100, Line 21)
- Appropriates \$7.5 million supplemental for the Medical Assistance Program. (Page 103, Line 13)
- Eliminates the FY 2008 General Fund appropriation to the Psychiatric Hospital at the University of Iowa and increases the FY 2008 Medicaid appropriation by the same amount for purposes of the IowaCare Program. Modifies the Disproportionate Share Program for purposes of the IowaCare Program. Increases the IowaCare FY 2008 appropriation by \$15.7 million to the University of Iowa Hospitals and Clinics. (Page 102, Line 19 through Page 105, Line 16)

EXECUTIVE SUMMARY NOBA

SENATE FILE 2425 HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL

EFFECTIVE DATES

- The following changes take effect on enactment.
(Page 56, Line 18; Page 90, Line 20 through Page 102, Line 15):
 - Requirement that the DHS and juvenile court services develop an FY 2009 funding distribution plan by June 15, 2008.
 - Requirement that the Chairpersons of the Joint Appropriations Subcommittee on Health and Human Services convene a Medicaid drug product selection workgroup.
 - Removal of the \$500,000 annual carryforward limit for the Iowa Veterans Home.
 - Transfer of \$1.0 million from the Healthy Iowans Tobacco Trust to the Juvenile Detention Fund.
 - Carryforward of FY 2007 child welfare decategorization funding to supplement FY 2009 child welfare funds.
 - Carryforward of FY 2008 Vietnam Veterans Bonus funding to FY 2009 for the same purpose.
 - Carryforward of FY 2007 Injured Veterans Grant Program funding to FY 2009 for the same purpose.
 - Carryforward of FY 2008 funding for phenylketonuria (PKU) to FY 2009 for the same purpose.
 - Carryforward of FY 2008 funding for the antiviral stockpile expenditures to FY 2009 for the same purpose.
 - Carryforward of FY 2008 funding for the Department of Veterans Affairs to FY 2009 for various expenditures.
 - Carryforward of FY 2008 funding for the Veteran County Grant Program to FY 2009 for the same purpose.
 - Change of \$6.5 million of FY 2008 TANF funds from the FIP to the Child Care Assistance Program.
 - Transfer of FY 2008 hawk-i Trust Fund money to the Child Care Assistance Program for FY 2009.
 - Carryforward of certain FY 2008 child welfare funds to FY 2009 for the Child Care Assistance Program.
 - Changes to the distribution of FY 2008 funds from the Juvenile Detention Fund.
 - Carryforward of FY 2008 funds for DHS Field Operations and General Administration.
 - Elimination of a reference to changes of the federal Deficit Reduction Act for the pharmacy dispensing fee.
 - Transfer of the remaining FY 2008 Brain Injury Program funding to the FY 2009 Medical Assistance Program.
 - Appropriation of the FY 2008 Health Care Transformation Account funds to Polk County Broadlawns Medical Center for administrative costs.

**EXECUTIVE SUMMARY
NOBA**

**SENATE FILE 2425
HEALTH AND HUMAN SERVICES APPROPRIATIONS BILL**

EFFECTIVE DATES (CONTINUED)

- Carryforward of DPH FY 2008 Health Care Trust Fund appropriations to FY 2009 for the same purposes.
- Carryforward of DHS FY 2008 Health Care Trust Fund hawk-i appropriation to FY 2009 for the same purpose.
- Funding administrative costs for Polk County Broadlawns Medical Center from the IowaCare Program.
- The following changes take effect on a specified date:
 - Eliminating the FY 2008 appropriation to the University of Iowa Psychiatric Hospital and increasing the FY 2008 Medical Assistance Program by the same amount. Division VI includes additional language for the transition of these funds to the IowaCare Program and related appropriations. The changes are retroactive to December 21, 2007. (Page 105, Line 13)

Senate File 2425 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|----------|--|--|
| 9 | 21 | 4.3 | Nwthstnd | Sec. 8.33 | Nonreversion of FY 2009 Veterans County Grant Program Funds |
| 10 | 19 | 5.2 | Nwthstnd | Sec. 8.33 | Nonreversion of Contract Services Funds |
| 14 | 30 | 6 | Nwthstnd | Sec. 8.33 | Carryforward of FY 2009 FaDSS Funds |
| 17 | 11 | 7.4 | Nwthstnd | Sec. 8.39 | DHS Authority to Transfer TANF Funds |
| 30 | 13 | 14.9 | Nwthstnd | Sec. 8.33 | Carryforward of FY 2009 Child Care Appropriation |
| 32 | 32 | 16.7 | Nwthstnd | Sec. All | Shelter Care Bed Funding |
| 33 | 16 | 16.8 | Nwthstnd | Sec. 8.33 | Carryforward of Federal and State Child Welfare Funds in FY 2010 |
| 34 | 11 | 16.10(c) | Nwthstnd | Sec. All | Juvenile Court District Child Welfare Funds Allocation |
| 34 | 20 | 16.10(d) | Nwthstnd | Sec. All | Juvenile Court Funding Limitations |
| 35 | 1 | 16.10(e) | Nwthstnd | Sec. All | County Juvenile Funding Limitations |
| 37 | 34 | 17.3 | Nwthstnd | Sec. 8.33 | Carryforward of Adoption Subsidy Funding |
| 38 | 10 | 18 | Nwthstnd | Sec. 232.142(3) | Juvenile Detention Center Funding |
| 42 | 12 | 23.3 | Nwthstnd | Sec. 8.33 | State Cases Program Carryforward |
| 49 | 4 | 30.1(j) | Nwthstnd | 249A.20 | Provider Rates |
| 51 | 23 | 30.9(b) | Nwthstnd | Sec. 232.141(8) | Reimbursement Rates |
| 52 | 15 | 31 | Amends | Sec. 4.4; Chapter 192, 2001 Iowa Acts | Nursing Facility Reimbursements and Direct Care Compensation |
| 54 | 20 | 31 | Amends | Sec. 4.4(c), Chapter 192, 2001 Iowa Acts | Accountability Measures Workgroup |
| 57 | 22 | 36.2 | Nwthstnd | Sec. 249H.7 | Maximizing Federal Funds for Elderly |
| 60 | 17 | 40.1(b) | Nwthstnd | Sec. All | IowaCare Appropriation Payments |
| 61 | 20 | 40.3 | Nwthstnd | Sec. All | IowaCare Appropriation Payments |
| 64 | 20 | 42 | Nwthstnd | Sec. 8.39(1) | Health Care Transformation Account Transfer |
| 66 | 4 | 46 | Amends | Sec. 426B.2(3) | Property Tax Relief Fund Warrants |
| 66 | 25 | 47 | Nwthstnd | Sec. 8.33 | Nonreversion of Medicaid Supplemental Appropriation |

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|--------|---|--|
| 67 | 6 | 48 | Adds | Sec. 225C.5(1)(ii) | Board Member Requirement |
| 67 | 12 | 49 | Adds | Sec. 225C.19 | Emergency Mental Health Crisis Services System |
| 69 | 20 | 50 | Adds | Sec. 225C.51 | Definitions for Mental Health Crisis Services System |
| 70 | 21 | 51 | Adds | Sec. 225C.52 | Children Mental Health System |
| 72 | 20 | 52 | Adds | Sec. 225C.53 | Implementation of Children Mental Health System |
| 73 | 11 | 53 | Adds | Sec. 225C.54 | Children Mental Health System |
| 74 | 31 | 54 | Amends | Sec. 331.439(1)(a), Code Supplement 2007 | Mental Health County Expenditures |
| 75 | 14 | 55 | Amends | Sec. 1.1, Chapter 215, 2007 Iowa Acts | Mental Health Funding |
| 75 | 29 | 55 | Amends | Sec. 1.2, Chapter 215, 2007 Iowa Acts | Mental Health Funding |
| 76 | 5 | 56 | Adds | Sec. 1.3, Chapter 215, 2007 Iowa Acts | Mental Health Funding |
| 77 | 5 | 56 | Adds | Sec. 1.4, Chapter 215, 2007 Iowa Acts | Mental Health Funding |
| 77 | 11 | 56 | Adds | Sec. 1.5-1.7, Chapter 215, 2007 Iowa Acts | Mental Health Funding |
| 79 | 21 | 56 | Adds | Sec. 1.8, Chapter 215, 2007 Iowa Acts | Mental Health Funding |
| 79 | 26 | 56 | Amends | Sec. 1.9, Chapter 215, 2007 Iowa Acts | Mental Health Pilot Project |
| 90 | 21 | 62 | Amends | Sec. 35D.18(5) | Veterans Home Carryforward |
| 91 | 5 | 64 | Amends | Sec. 17.4, Chapter 1184, 2006 Iowa Acts | Carryforward of Decategorization Funds |
| 91 | 20 | 65 | Amends | Sec. 3, Chapter 176, 2007 Iowa Acts | Vietnam Veteran Bonus Carryforward |
| 91 | 29 | 66 | Amends | Sec. 1.4, Chapter 203, 2007 Iowa Acts | Injured Veterans Grant Program Carryforward |
| 92 | 5 | 67 | Amends | Sec. 32.4, Chapter 215, 2007 Iowa Acts | Carryforward of DEA Community Initiative Funds |

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|--------|--|--|
| 92 | 13 | 68 | Amends | Sec. 2.3(2), Chapter 218, 2007 Iowa Acts | Phenylketonuria Program Carryforward |
| 92 | 26 | 69 | Amends | Sec. 2.8(d), Chapter 218, 2007 Iowa Acts | Antiviral Stockpile Funds Carryforward |
| 93 | 2 | 70 | Amends | Sec. 4.1, Chapter 218, 2007 Iowa Acts | Department of Veterans Affairs Carryforward |
| 93 | 14 | 71 | Amends | Sec. 4.4, Chapter 218, 2007 Iowa Acts | County Veteran Grant Program Carryforward |
| 93 | 28 | 72 | Amends | Sec. 7.1, Chapter 218, 2007 Iowa Acts | FY 2008 TANF Appropriation |
| 93 | 33 | 72 | Amends | Sec. 7.7, Chapter 218, 2007 Iowa Acts | FY 2008 TANF Appropriation |
| 94 | 22 | 73 | Amends | Sec. 8.4(b), Chapter 218, 2007 Iowa Acts | Family Investment Program Carryforward |
| 94 | 32 | 74 | Amends | Sec. 8, Chapter 218, 2007 Iowa Acts | Elimination of Transitional Benefit Program Appropriation |
| 95 | 8 | 75 | Amends | Sec. 15(4), Chapter 218, 2007 Iowa Acts | State Children's Health Insurance Carryforward |
| 95 | 20 | 76 | Amends | Sec. 18.3, Chapter 218, 2007 Iowa Acts | Child Care Funding Technical Change |
| 95 | 34 | 77 | Amends | Sec. 18.5A, Chapter 218, 2007 Iowa Acts | Child Welfare Funding FY 2008 Carryforward for Child Care |
| 96 | 12 | 79 | Amends | Sec. 18.9, Chapter 218, 2007 Iowa Acts | Increase in FY 2008 Protective Child Care Funds Limitation |
| 96 | 17 | 79 | Amends | Sec. 20, Chapter 218, 2007 Iowa Acts | FY 2008 Juvenile Detention Fund Allocation Changes |
| 98 | 8 | 80 | Amends | Sec. 27, Chapter 218, 2007 Iowa Acts | Sexual Predator Commitment Program Carryforward |
| 98 | 16 | 81 | Adds | Sec. 28.4, Chapter 218, 2007 Iowa Acts | DHS Field Operations FY 2008 Carryforward |
| 98 | 27 | 82 | Adds | Sec. 29.4, Chapter 218, 2007 Iowa Acts | DHS General Administration FY 2008 Carryforward |
| 98 | 30 | 82 | Adds | Sec. 29.5, Chapter 218, 2007 Iowa Acts | DHS FY 2008 General Administration Carryforward |

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|---------|---|---|
| 99 | 2 | 83 | Amends | Sec. 31.1(b)(1and 2), Chapter 218, 2007 Iowa Acts | Pharmacy Dispensing Fee |
| 99 | 25 | 84 | Amends | Sec. 72, Chapter 218, 2007 Iowa Acts | Center for Congenital and Inherited Disorders FY 2008 Reappropriation |
| 100 | 9 | 85 | Amends | Sec. 74.8, Chapter 218, 2007 Iowa Acts | IowaCare Broadlawns Hospital Costs |
| 100 | 22 | 86 | Amends | Sec. 83.2(c), Chapter 218, 2007 Iowa Acts | Brain Injury Program FY 2008 Carryforward |
| 101 | 4 | 87 | Amends | Sec. 97.1, Chapter 218, 2007 Iowa Acts | FY 2008 Cultural Competency Substance Abuse Carryforward |
| 101 | 15 | 88 | Amends | Sec. 97.2, Chapter 218, 2007 Iowa Acts | FY 2008 Tissue Bank Carryforward |
| 101 | 26 | 89 | Adds | Sec. 97.3(dd), Chapter 218, 2007 Iowa Acts | Nonreversion of Chronic Conditions Appropriation |
| 102 | 3 | 90 | Amends | Sec. 98.2, Chapter 218, 2007 Iowa Acts | State Children's Health Insurance Program Carryforward |
| 102 | 12 | 91 | Repeals | Sec. 239B.11A | Transitional Benefit Program Repealed |
| 102 | 19 | 93 | Amends | Sec. 9.2(b), Chapter 214, 2007 Iowa Acts | Psychiatric Hospital Appropriation |
| 102 | 30 | 94 | Amends | Sec. 15, Chapter 215, 2007 Iowa Acts | Psychiatric Hospital Salary Money |
| 103 | 7 | 95 | Amends | Sec. 15, Chapter 215, 2007 Iowa Acts | Psychiatric Hospital Appropriation |
| 103 | 13 | 96 | Amends | Sec. 11, Chapter 218, 2007 Iowa Acts | FY 2008 Medicaid Appropriation |
| 103 | 24 | 97 | Amends | Sec. 11(17-19), Chapter 218, 2007 Iowa Acts | Medicaid Allocation |
| 104 | 18 | 98 | Amends | Sec. 73.2, Chapter 218, 2007 Iowa Acts | IowaCare Appropriation |
| 105 | 19 | 100 | Amends | Sec. 28.9(5) | First Years First |
| 105 | 30 | 101 | Amends | Sec. 135.22B(3-4), Code Supplement 2007 | Brain Injury Cost Share Services Program |
| 106 | 26 | 102 | Amends | Sec. 135.22B(5), Code Supplement 2007 | Brain Injury Cost Share Services Program |

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|---------|--|--|
| 107 | 2 | 103 | Amends | Sec. 135.22B(8)(a), Code Supplement 2007 | Brain Injury Cost Share Services Program |
| 107 | 15 | 104 | Adds | Sec. 135.155 | Early Childhood Iowa Advisory Council |
| 110 | 19 | 105 | Adds | Sec. 135.156 | Lead Agency for Early Childhood Iowa Council |
| 111 | 3 | 106 | Amends | Sec. 135B.34 | Background Checks for Hospital Employees |
| 114 | 22 | 107 | Amends | Sec. 135C.33 | Background Checks for Health Care Employees |
| 119 | 35 | 108 | Amends | Sec. 135H.3 | Third Party Coverage for Certain Children |
| 120 | 22 | 109 | Adds | Sec. 217.19 | Human Services Board and Commission Expenses |
| 120 | 35 | 110 | Adds | Sec. 225C.40(4) | Family Support Subsidy Payments |
| 121 | 6 | 111 | Adds | Sec. 234.47 | Child Care and Adoption Expense Estimates |
| 121 | 14 | 112 | Adds | Sec. 235B.6(2)(f) | Dependent Adult Abuse Information |
| 121 | 22 | 113 | Adds | Sec. 237A.3(3) | Child Care Single Family Residence |
| 121 | 33 | 114 | Adds | Sec. 237A.3A(3)(d) | Child Development Single Family Homes |
| 122 | 10 | 115 | Adds | Sec. 237A.5(2)(cc) | Child Care Facilities Personnel Record Checks |
| 122 | 23 | 116 | Repeals | Sec. 237A.13(8), Code Supplement 2007 | Repeals Wrap Around Funding for Child Care Facilities |
| 122 | 25 | 117 | Adds | Sec. 249A.15A | Licensed Marital and Family Therapists and Social Workers Eligible for Medicaid Payments |
| 123 | 9 | 118 | Amends | Sec. 249J.20(2 and 4) | Meetings of Medical Assistance Projections and Assessment Council |
| 124 | 2 | 119 | Adds | Sec. 256.35A | Iowa Autism Council |
| 126 | 18 | 120 | Adds | Sec. 514I.6(7) | Child Health Plans Required |
| 126 | 25 | 121 | Amends | Sec. 642.2(4) | Child Support Recovery of Unclaimed Property |
| 127 | 6 | 122 | Amends | Sec. 61, Chapter 167, 2005 Iowa Acts | Inmate Health Care Study |
| 128 | 34 | 124 | Adds | Sec. 236.2(4A) | Definition of Household Pet |
| 129 | 3 | 125 | Amends | Sec. 236.3(6) | Includes Household Pets in No-Contact Court Orders |
| 129 | 9 | 126 | Amends | Sec. 236.4(2) | Includes Household Pets in No-Contact Court Orders |
| 130 | 6 | 127 | Adds | Sec. 236.5(2)(bb) | Includes Household Pets in No-Contact Court Orders |

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|--------|--|--|
| 131 | 35 | 129 | Amends | Sec. 232.2(4)(e), Code Supplement 2007 | Juvenile Court Proceedings |
| 132 | 10 | 130 | Amends | Sec. 232.46(4) | Consent Decree Timeframe |
| 132 | 21 | 131 | Amends | Sec. 232.91(3), Code Supplement 2007 | Court Determination of Notice for Child Hearings |
| 132 | 35 | 132 | Adds | Sec. 218.64 | Investigation of Death |
| 133 | 9 | 133 | Amends | Sec. 222.12 | Investigation of Deaths at Private Institutions |
| 134 | 8 | 134 | Amends | Sec. 226.34 | Investigation of Deaths at a Mental Health Institute |
| 134 | 30 | 135 | Amends | Sec. 331.802(2) | Conforming Language for Death Investigations |
| 135 | 28 | 136 | Adds | Sec. 331.802(3)(k) | Death Investigation Duties of County Medical Examiners |

1 1 DIVISION I
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS

1 3 ELDER AFFAIRS

1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
1 5 appropriated from the general fund of the state to the
1 6 department of elder affairs for the fiscal year beginning July
1 7 1, 2008, and ending June 30, 2009, the following amount, or so
1 8 much thereof as is necessary, to be used for the purposes
1 9 designated:

1 10 For aging programs for the department of elder affairs and
1 11 area agencies on aging to provide citizens of Iowa who are 60
1 12 years of age and older with case management for the frail
1 13 elderly only if the monthly cost per client for case
1 14 management for the frail elderly services provided does not
1 15 exceed an average of \$70, resident advocate committee
1 16 coordination, employment, and other services which may include
1 17 but are not limited to adult day services, respite care, chore
1 18 services, telephone reassurance, information and assistance,
1 19 and home repair services, and for the construction of entrance
1 20 ramps which make residences accessible to the physically
1 21 handicapped, and for salaries, support, administration,
1 22 maintenance, and miscellaneous purposes, and for not more than
1 23 the following full-time equivalent positions:
1 24 \$ 4,851,698
1 25 FTEs 40.50

1 26 1. Funds appropriated in this section may be used to
1 27 supplement federal funds under federal regulations. To
1 28 receive funds appropriated in this section, a local area
1 29 agency on aging shall match the funds with moneys from other
1 30 sources according to rules adopted by the department. Funds
1 31 appropriated in this section may be used for elderly services

General Fund appropriation to the Department of Elder Affairs for FY 2009.

DETAIL: This is a decrease of \$15,000 and an increase of 3.00 FTE positions compared to the estimated FY 2008 appropriation. The decrease is to eliminate one-time funding for the Alzheimer's Task Force and the increase in FTE positions reflects inclusion of the positions related to the Senior Living Trust Fund.

Permits the use of funds appropriated in this Subsection to supplement federal funds for elderly services if those services are approved by an Area Agency on Aging. Requires local Area Agencies on Aging to match the funds for aging programs and services.

1 32 not specifically enumerated in this section only if approved
1 33 by an area agency on aging for provision of the service within
1 34 the area.

1 35 2. Of the funds appropriated in this section, \$2,788,223
2 1 shall be used for case management for the frail elderly. Of
2 2 the funds allocated in this subsection, \$1,385,015 shall be
2 3 transferred to the department of human services in equal
2 4 amounts on a quarterly basis for reimbursement of case
2 5 management services provided under the medical assistance
2 6 elderly waiver. The department of human services shall adopt
2 7 rules for case management services provided under the medical
2 8 assistance elderly waiver in consultation with the department
2 9 of elder affairs. The monthly cost per client for case
2 10 management for the frail elderly services provided shall not
2 11 exceed an average of \$70.

Requires an allocation of \$2,788,223 for the Case Management Program for the Frail Elderly, and requires \$1,385,015 of the allocation to be transferred to the Department of Human Services (DHS) in equal amounts on a quarterly basis for Case Management reimbursement under the Medicaid Elderly Waiver. In addition, the DHS is required to adopt rules for Case Management services in consultation with the Department of Elder Affairs. Limits the monthly cost per client to \$70.

DETAIL: Maintains current allocation and transfer levels.

2 12 3. Of the funds appropriated in this section, \$200,198
2 13 shall be transferred to the department of economic development
2 14 for the Iowa commission on volunteer services to be used for
2 15 the retired and senior volunteer program.

Requires a transfer of \$200,198 to the Iowa Commission on Volunteer Services in the Department of Economic Development for the Retired Senior Volunteer Program (RSVP).

DETAIL: Maintains current allocation level.

2 16 4. Of the funds appropriated in this section, \$130,000
2 17 shall be used to continue to fund additional long-term care
2 18 resident's advocate positions.

Requires an allocation of \$130,000 to fund two additional Long-Term Care Ombudsmen.

DETAIL: Maintains current allocation level. The total number of long-term care ombudsmen funded by the Department will continue to be nine.

2 19 5. Of the funds appropriated in this section, \$250,000
2 20 shall be used for continuation of the substitute decision
2 21 maker Act pursuant to chapter 231E.

Requires an allocation of \$250,000 to implement a State Office of Substitute Decision Maker and two local offices.

DETAIL: Maintains the current allocation level.

2 22 HEALTH

2 23 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
 2 24 appropriated from the general fund of the state to the
 2 25 department of public health for the fiscal year beginning July
 2 26 1, 2008, and ending June 30, 2009, the following amounts, or
 2 27 so much thereof as is necessary, to be used for the purposes
 2 28 designated:

2 29 1. ADDICTIVE DISORDERS

2 30 For reducing the prevalence of use of tobacco, alcohol, and
 2 31 other drugs, and treating individuals affected by addictive
 2 32 behaviors, including gambling, and for not more than the
 2 33 following full-time equivalent positions:
 2 34 \$ 1,532,149
 2 35 FTEs 6.00

General Fund appropriation to the Addictive Disorders Program.

DETAIL: This is a decrease of \$470,000 and an increase of 1.65 FTE positions compared to the estimated FY 2008 appropriation. An additional \$2,955,164 is provided to the Addictive Disorders Program from the Health Care Trust Fund (HCTF) in Division IV. An additional \$4,678,000 is provided from the Gambling Treatment Fund in Division I. The General Fund change reflects a decrease in funds expended for tobacco advertising. The increase in FTE positions is to reflect actual utilization.

3 1 The requirement of section 123.53, subsection 3, is met by
 3 2 the appropriations made in this Act for purposes of addictive
 3 3 disorders for the fiscal year beginning July 1, 2008.

Specifies that the standing appropriation requirement for substance abuse treatment under Section 123.53(3), Code of Iowa, is met by appropriations made for Addictive Disorders in this Bill for FY 2009.

3 4 2. HEALTHY CHILDREN AND FAMILIES

3 5 For promoting the optimum health status for children,
 3 6 adolescents from birth through 21 years of age, and families,
 3 7 and for not more than the following full-time equivalent
 3 8 positions:
 3 9 \$ 2,636,913
 3 10 FTEs 16.00

General Fund appropriation to the Healthy Children and Families Program.

DETAIL: This is an increase of \$100,000 compared to the FY 2008 appropriation for dental services and increase of 3.05 FTE positions compared to the estimated FY 2008 appropriation. An additional \$667,700 is provided to the Healthy Children and Families Program from the HCTF in Division IV. The increase in FTE positions is to reflect actual utilization.

3 11 a. Of the funds appropriated in this subsection, not more

Limits the General Fund amount used to fund the Healthy

3 12 than \$645,917 shall be used for the healthy opportunities to
 3 13 experience success (HOPES)=healthy families Iowa (HFI) program
 3 14 established pursuant to section 135.106. The department shall
 3 15 transfer the funding allocated for the HOPES=HFI program to
 3 16 the Iowa empowerment board for distribution and shall assist
 3 17 the board in managing the contracting for the funding. The
 3 18 funding shall be distributed to renew the grants that were
 3 19 provided to the grantees that operated the program during the
 3 20 fiscal year ending June 30, 2008.

Opportunities for Parents to Experience Success (HOPES) Program to \$645,917. Requires the Department to transfer this funding to the Iowa Empowerment Board for distribution and management. The funds are required to be distributed to the grantees that received funding in FY 2008.

DETAIL: Maintains current allocation level.

3 21 b. Of the funds appropriated in this subsection, \$325,000
 3 22 shall be used to continue to address the healthy mental
 3 23 development of children from birth through five years of age
 3 24 through local evidence-based strategies that engage both the
 3 25 public and private sectors in promoting healthy development,
 3 26 prevention, and treatment for children.

Allocates \$325,000 for the Assuring Better Child Health and Development (ABCD II) Program.

DETAIL: Maintains current allocation level from the General Fund. An additional \$200,000 is allocated from the appropriation to the Healthy Children and Families Program from the HCTF in Division IV.

3 27 c. Of the funds appropriated in this subsection, \$100,000
 3 28 is allocated for distribution to the children's hospital of
 3 29 Iowa mother's milk bank.

Allocates \$100,000 for an Iowa mother's milk bank.

DETAIL: Maintains current allocation level.

3 30 d. Of the funds appropriated in this subsection, \$40,000
 3 31 shall be distributed to a statewide dental carrier to provide
 3 32 funds to continue the donated dental services program
 3 33 patterned after the projects developed by the national
 3 34 foundation of dentistry for the handicapped to provide dental
 3 35 services to indigent elderly and disabled individuals.

Allocates \$40,000 for dental services for indigent elderly and disabled individuals.

DETAIL: Maintains current allocation level.

4 1 e. Of the funds appropriated in this subsection, \$100,000
 4 2 shall be transferred to the university of Iowa college of
 4 3 dentistry for provision of primary dental services to
 4 4 children. State funds shall be matched on a dollar-for-dollar
 4 5 basis. The university of Iowa college of dentistry shall
 4 6 coordinate efforts with the department of public health bureau
 4 7 of oral health to provide dental care to underserved

Allocation of \$100,000 for children dental care.

DETAIL: This is a new allocation for FY 2009.

4 8 populations throughout the state.

4 9 f. The department shall consult with other agencies
4 10 involved with provision of health-related services to children
4 11 and with legislators, providers, advocates, and other
4 12 stakeholders in performing a study of services and other
4 13 support promoting healthy kids.

Requires the Department of Public Health to consult with agencies involved in health-related services and perform a study of services promoting healthy kids.

4 14 3. CHRONIC CONDITIONS

4 15 For serving individuals identified as having chronic
4 16 conditions or special health care needs, and for not more than
4 17 the following full-time equivalent positions:
4 18 \$ 2,242,840
4 19 FTEs 5.00

General Fund appropriation to the Chronic Conditions Program.

DETAIL: This is an increase of \$400,000 and 0.70 FTE position compared to the estimated FY 2008 appropriation. An additional \$1,164,181 is provided to the Chronic Conditions Program from the HCTF in Division IV. The change includes:

- An increase of \$500,000 for transfer of Brain Injury funds from the mental health allowed growth funding for two existing contracts to continue in FY 2009.
- A decrease of \$100,000 to reflect carryforward of funds for phenylketonuria (PKU) assistance that will be available in FY 2009.
- An increase of 0.70 FTE position to reflect actual utilization.

4 20 a. Of the funds appropriated in this subsection, \$100,000
4 21 shall be used for grants to individual patients who have
4 22 phenylketonuria (PKU) to assist with the costs of necessary
4 23 special foods.

Allocates \$100,000 for Phenylketonuria (PKU) assistance.

DETAIL: This allocation includes the FY 2008 carryforward funds for PKU from the General Fund. There is also \$100,000 proposed for FY 2009 from the Healthy Iowans Tobacco Trust Fund.

4 24 b. Of the funds appropriated in this subsection, \$500,000
4 25 is allocated for continuation of the contracts for resource
4 26 facilitator services in accordance with section 135.22B,
4 27 subsection 10, and for brain injury training services and
4 28 recruiting of service providers to increase the capacity
4 29 within this state to address the needs of individuals with
4 30 brain injuries and such individuals' families.

Allocates \$500,000 for continuation of the two contracts from FY 2008 in the DPH's Brain Injury Services Program.

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| 4 31 | 4. COMMUNITY CAPACITY | General Fund appropriation to the Community Capacity Program. |
| 4 32 | For strengthening the health care delivery system at the | |
| 4 33 | local level, and for not more than the following full-time | |
| 4 34 | equivalent positions: | DETAIL: Maintains current level of funding and provides an increase |
| 4 35 | \$ 1,760,532 | of 1.25 FTE positions. An additional \$2,790,000 is allocated from the |
| 5 1 | FTEs 12.00 | appropriation to the Community Capacity Program from the HCTF in |
| | | Division IV. The additional FTE positions are to reflect actual |
| | | utilization. |
| 5 2 | a. Of the funds appropriated in this subsection, \$100,000 | |
| 5 3 | is allocated for a child vision screening program implemented | Requires an allocation of \$100,000 for a child vision screening |
| 5 4 | through the university of Iowa hospitals and clinics in | program through the University of Iowa Hospitals and Clinics in |
| 5 5 | collaboration with community empowerment areas. | collaboration with Community Empowerment areas. |
| | | DETAIL: Maintains current allocation level. |
| 5 6 | b. Of the funds appropriated in this subsection, \$159,700 | |
| 5 7 | is allocated for an initiative implemented at the university | Requires an allocation of \$159,700 for a University of Iowa initiative to |
| 5 8 | of Iowa and \$140,300 is allocated for an initiative at the | expand and improve the mental health treatment and services |
| 5 9 | state mental health institute at Cherokee to expand and | workforce. Requires an allocation of \$140,300 for the same type of |
| 5 10 | improve the workforce engaged in mental health treatment and | initiative at the Mental Health Institute at Cherokee. Specifies the |
| 5 11 | services. The initiatives shall receive input from the | entities required to contribute input for the initiative and that these |
| 5 12 | university of Iowa, the department of human services, the | entities are to receive regular updates on the initiative. |
| 5 13 | department of public health, and the mental health, mental | |
| 5 14 | retardation, developmental disabilities, and brain injury | DETAIL: Maintains current allocation levels. |
| 5 15 | commission to address the focus of the initiatives. The | |
| 5 16 | department of human services, the department of public health, | |
| 5 17 | and the commission shall receive regular updates concerning | |
| 5 18 | the status of the initiatives. | |
| 5 19 | 5. ELDERLY WELLNESS | General Fund appropriation to the Elderly Wellness Program. |
| 5 20 | For promotion of healthy aging and optimization of the | |
| 5 21 | health of older adults: | DETAIL: Maintains current level of General Fund support. |
| 5 22 | \$ 9,233,985 | |
| 5 23 | 6. ENVIRONMENTAL HAZARDS | General Fund appropriation to the Environmental Hazards Program. |
| 5 24 | For reducing the public's exposure to hazards in the | |
| | | DETAIL: Maintains the current level of funding and provides an |

5 25 environment, primarily chemical hazards, and for not more than
 5 26 the following full-time equivalent positions:
 5 27 \$ 747,960
 5 28 FTEs 2.00

increase of 0.25 FTE position compared to the estimated FY 2008 appropriation. The FTE change is to reflect actual utilization.

5 29 Of the funds appropriated in this subsection, \$121,000
 5 30 shall be used for childhood lead poisoning provisions pursuant
 5 31 to sections 135.102 and 135.103.

Requires an allocation of \$121,000 for child blood lead testing.

DETAIL: Maintains current allocation level.

5 32 7. INFECTIOUS DISEASES
 5 33 For reducing the incidence and prevalence of communicable
 5 34 diseases, and for not more than the following full-time
 5 35 equivalent positions:
 6 1 \$ 1,701,974
 6 2 FTEs 7.00

General Fund appropriation to the Infectious Diseases Program.

DETAIL: This is an increase of \$43,688 and 1.25 FTE positions compared to the estimated FY 2008 appropriation. The change includes:

- An increase of \$43,688 for additional vaccine funding.
- An increase of 1.25 FTE positions to reflect actual utilization.

6 3 a. Of the funds appropriated in this subsection, an
 6 4 increase of \$43,688 is provided for the purchasing of vaccines
 6 5 for immunizations.

Requires \$43,688 of the funds appropriated to be used for the purchase of immunization vaccines in addition to the FY 2008 funding available.

6 6 b. Of the funds appropriated in this subsection, \$100,000
 6 7 shall be used to fund the position of bureau chief for the
 6 8 center for acute disease epidemiology (CADE).

Allocates \$100,000 to fund the position of Bureau Chief for the Center for Acute Disease Epidemiology (CADE).

DETAIL: Maintains the current allocation level.

6 9 8. PUBLIC PROTECTION
 6 10 For protecting the health and safety of the public through
 6 11 establishing standards and enforcing regulations, and for not
 6 12 more than the following full-time equivalent positions:
 6 13 \$ 2,798,513
 6 14 FTEs 128.00

General Fund appropriation to the Public Protection Program.

DETAIL: This is a decrease of \$47,145 and an increase of 2.10 FTE positions compared to the estimated FY 2008 appropriation. The change includes:

- A decrease of \$10,000 to reflect one-time funding for the 211 System.

| | | |
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| | | <ul style="list-style-type: none"> • A decrease of \$37,145 to reflect carryover of funds for the antiviral stockpile. • An increase of 2.10 FTE positions to reflect actual utilization. |
| 6 15 | a. Of the funds appropriated in this subsection, \$643,500 | |
| 6 16 | shall be credited to the emergency medical services fund | Requires \$643,500 to be allocated to the Emergency Medical Services Fund. |
| 6 17 | created in section 135.25. Moneys in the emergency medical | |
| 6 18 | services fund are appropriated to the department to be used | DETAIL: Maintains current allocation level. The funds are used for training and equipment provided through the Emergency Medical Services (EMS) Program. |
| 6 19 | for the purposes of the fund. | |
| 6 20 | b. Of the funds appropriated in this subsection, \$23,810 | |
| 6 21 | shall be used for the office of the state medical examiner. | Requires an allocation of \$23,810 for additional funding for the State Medical Examiner's Office. |
| | | DETAIL: Maintains the current allocation level. |
| 6 22 | c. Of the funds appropriated in this subsection, \$150,000 | |
| 6 23 | shall be used for management of the antiviral stockpile. | Requires an allocation of \$150,000 to manage the antiviral stockpile. |
| | | DETAIL: Maintains current allocation level. |
| 6 24 | d. Of the funds appropriated in this subsection, \$100,000 | |
| 6 25 | shall be used for sexual violence prevention programming | Requires an allocation of \$100,000 to provide program funding in sexual violence prevention. |
| 6 26 | through a statewide organization representing programs serving | |
| 6 27 | victims of sexual violence through the department's sexual | DETAIL: This maintains the current allocation level from the General Fund appropriation and reflects a reduction of \$162,522 that was allocated from the remaining funds in the Hospital Trust Fund for FY 2008. |
| 6 28 | violence prevention program. The amount allocated in this | |
| 6 29 | paragraph "d" shall not be used to supplant funding | |
| 6 30 | administered for other sexual violence prevention or victims | |
| 6 31 | assistance programs. | |
| 6 32 | e. The department may incur expenses for start-up costs to | |
| 6 33 | implement licensing of plumbers and mechanical professionals | Permits the Department of Public Health to use current budgetary resources to fund expenses related to licensing of plumbers and mechanics. Requires the expenditures to be offset by licensing revenues by the end of FY 2009. |
| 6 34 | in accordance with 2007 Iowa Acts, chapter 198, provided the | |
| 6 35 | amounts expended are covered by the close of the fiscal year | |
| 7 1 | through the repayment receipts from license fees. | |

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| 7 2 | 9. RESOURCE MANAGEMENT | General Fund appropriation to the Resource Management Program. |
| 7 3 | For establishing and sustaining the overall ability of the | |
| 7 4 | department to deliver services to the public, and for not more | DETAIL: Maintains current level of funding and provides an increase |
| 7 5 | than the following full-time equivalent positions: | of 1.00 FTE position compared to the estimated FY 2008 |
| 7 6 | \$ 1,205,933 | appropriation for administration of tobacco-related programs. The |
| 7 7 | FTEs 10.00 | increase in FTE positions is to reflect actual utilization. |
| 7 8 | Of the funds appropriated in this subsection, \$150,150 | |
| 7 9 | shall be used for administration of tobacco-related programs. | Requires an allocation of \$150,150 for the administration of tobacco- |
| | | related programs. |
| | | DETAIL: Maintains current allocation level. |
| 7 10 | The university of Iowa hospitals and clinics under the | |
| 7 11 | control of the state board of regents shall not receive | Prohibits the University of Iowa Hospitals and Clinics (UIHC) from |
| 7 12 | indirect costs from the funds appropriated in this section. | receiving indirect cost reimbursement from General Fund |
| 7 13 | The university of Iowa hospitals and clinics billings to the | appropriations to the Department of Public Health. Requires the UIHC |
| 7 14 | department shall be on at least a quarterly basis. | to submit billings on a quarterly basis for FY 2009. |
| 7 15 | Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION. | |
| 7 16 | 1. In lieu of the appropriation made in section 135.150, | Gambling Treatment Fund appropriations to the Department of Public |
| 7 17 | subsection 1, there is appropriated from funds available in | Health for FY 2009. |
| 7 18 | the gambling treatment fund created in section 135.150 to the | |
| 7 19 | department of public health for the fiscal year beginning July | |
| 7 20 | 1, 2008, and ending June 30, 2009, the following amount, or so | |
| 7 21 | much thereof as is necessary, to be used for the purposes | |
| 7 22 | designated: | |
| 7 23 | To be utilized for the benefit of persons with addictive | |
| 7 24 | disorders: | Gambling Treatment Fund appropriation for the Addictive Disorders |
| 7 25 | \$ 4,678,000 | Program. |
| | | DETAIL: This is an increase of \$2,463,000 compared to the |
| | | estimated FY 2008 appropriation due to the availability of carryforward |
| | | funds from the previous fiscal year and a decrease in the Gambling |
| | | Treatment Program allocation. |

7 26 a. It is the intent of the general assembly that from the
 7 27 moneys appropriated in this subsection persons with a dual
 7 28 diagnosis of substance abuse and gambling addictions shall be
 7 29 given priority in treatment services. The amount appropriated
 7 30 in this subsection includes moneys credited to the fund in
 7 31 previous fiscal years.

Specifies it is the intent of the General Assembly that individuals with a diagnosis of both substance abuse and gambling addiction are required to be given priority in treatment services from the funds appropriated in this Section.

7 32 b. Of the funds appropriated in this subsection, \$613,000
 7 33 shall be used for tobacco use prevention, cessation, and
 7 34 treatment.

This is a new allocation for FY 2009. The Addictive Disorders Section of the Healthy Care Trust Fund (HCTF) Division and this allocation totals \$3,360,754 for tobacco use prevention. There are additional funds proposed from the Healthy Iowans Tobacco Trust for FY 2009.

7 35 2. The amount remaining in the gambling treatment fund
 8 1 after the appropriation made in subsection 1 is appropriated
 8 2 to the department to be used for funding of administrative
 8 3 costs and to provide programs which may include but are not
 8 4 limited to outpatient and follow-up treatment for persons
 8 5 affected by problem gambling, rehabilitation and residential
 8 6 treatment programs, information and referral services,
 8 7 education and preventive services, and financial management
 8 8 services. Of the amount appropriated in this subsection, up
 8 9 to \$100,000 may be used for the licensing of gambling
 8 10 treatment programs as provided in section 135.150.

Gambling Treatment Fund allocation for Gambling Treatment. Requires the remaining balance in the Gambling Treatment Fund, after the appropriation to the Addictive Disorders Program, to be appropriated to the Gambling Treatment Program. Permits up to \$100,000 to be used for the licensure of gambling treatment programs.

DETAIL: It is estimated that a total of \$2,417,398 will be available for gambling treatment services in FY 2009. This is a decrease of \$2,837,887 to reflect the increase for the Addictive Disorders initial allocation.

8 11 DEPARTMENT OF VETERANS AFFAIRS

8 12 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is
 8 13 appropriated from the general fund of the state to the
 8 14 department of veterans affairs for the fiscal year beginning
 8 15 July 1, 2008, and ending June 30, 2009, the following amounts,
 8 16 or so much thereof as is necessary, to be used for the
 8 17 purposes designated:

8 18 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

General Fund appropriation to the Department of Veteran Affairs.

8 19 For salaries, support, maintenance, and miscellaneous
 8 20 purposes, including the war orphans educational assistance
 8 21 fund created in section 35.8, and for not more than the
 8 22 following full-time equivalent positions:
 8 23 \$ 1,163,457
 8 24 FTEs 17.20

DETAIL: This is an increase of \$300,000 and 3.20 FTE positions compared to the FY 2008 appropriation. This includes:

- An increase of \$150,000 to replace one-time FY 2007 carryforward for two staff positions.
- An increase of \$150,000 and 3.20 FTE positions for the third-year of the three-year development of the Iowa Veterans Cemetery.

8 25 Of the amount appropriated in this subsection, \$50,000 is
 8 26 allocated for continuation of the veterans counseling program
 8 27 established pursuant to section 35.12.

Requires \$50,000 of the Veterans Department appropriation to be expended for a Veterans Counseling Program.

DETAIL: Maintains current level of allocation.

8 28 2. IOWA VETERANS HOME
 8 29 For salaries, support, maintenance, and miscellaneous
 8 30 purposes, and for not more than the following full-time
 8 31 equivalent positions:
 8 32 \$ 12,694,154
 8 33 FTEs 951.95

General Fund appropriation to the Iowa Veterans Home.

DETAIL: This is a decrease of \$4,034,102 and no change in FTE positions. This includes:

- A decrease of \$1,034,102 to reflect the additional federal revenue in FY 2009 received from State FY 2008 salary funding.
- A decrease of \$3,000,000 to reflect the historical carryforward from general operating budget that is no longer necessary for the Construction Account.

8 34 The Iowa veterans home billings involving the department of
 8 35 human services shall be submitted to the department on at
 9 1 least a monthly basis.

Requires the Iowa Veterans Home to submit monthly claims relating to Medicaid to the Department of Human Services.

9 2 If there is a change in the employer of employees providing
 9 3 services at the Iowa veterans home under a collective
 9 4 bargaining agreement, such employees and the agreement shall
 9 5 be continued by the successor employer as though there had not
 9 6 been a change in employer.

Requires that the employees and the janitorial agreement contract relating to the employees with a possible new contractor be retained with the new contractor.

9 7 3. COUNTY GRANT PROGRAM FOR VETERANS

General Fund appropriation to the County Grant Program for

| | | |
|------|--|--|
| 9 8 | For providing grants to counties to provide services to | Veterans. |
| 9 9 | living veterans: | |
| 9 10 | \$ 600,000 | DETAIL: This is a decrease of \$150,000 compared to the estimated FY 2008 appropriation. In addition to the appropriation, approximately \$250,000 of funds will carry over from FY 2008 for use in FY 2009. For FY 2009, counties are not required to match the grant with \$10,000 from a county or required to utilize the \$10,000 State funds for "new" services as was required for the FY 2008 grant process. |
| 9 11 | The department shall establish or continue a grant | Requires the Department of Veteran Affairs to continue the grant |
| 9 12 | application process and shall require each county applying for | application process for the County Grant Program. Requires a report |
| 9 13 | a grant to submit a plan for utilizing the grant for providing | by October 1, 2008. |
| 9 14 | services for living veterans. The maximum grant to be awarded | |
| 9 15 | to a county shall be \$10,000. Each county receiving a grant | |
| 9 16 | shall submit a report to the department identifying the impact | |
| 9 17 | of the grant on providing services to veterans as specified by | |
| 9 18 | the department. The department shall submit a report to the | |
| 9 19 | general assembly by October 1, 2008, concerning the impact of | |
| 9 20 | the grant program on services to veterans. | |
| 9 21 | Notwithstanding section 8.33, moneys appropriated in this | CODE: Requires the funds remaining from the FY 2008 appropriation |
| 9 22 | subsection that remain unencumbered or unobligated at the | for the Veterans County Grant Program to be credited to the Veterans |
| 9 23 | close of the fiscal year shall not revert to the fund from | Trust Fund in lieu of reversion to the State General Fund. |
| 9 24 | which appropriated but shall be credited to the veterans trust | |
| 9 25 | fund. | |
| 9 26 | 4. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED | General Fund appropriation for the State Educational Assistance for |
| 9 27 | VETERANS | Children of Deceased Veterans Program. |
| 9 28 | For provision of educational assistance pursuant to section | |
| 9 29 | 35.9: | DETAIL: Maintains current level of funding. |
| 9 30 | \$ 27,000 | |
| 9 31 | HUMAN SERVICES | |
| 9 32 | Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK | Temporary Assistance for Needy Families (TANF) FY 2009 Block |

9 33 GRANT. There is appropriated from the fund created in section
 9 34 8.41 to the department of human services for the fiscal year
 9 35 beginning July 1, 2008, and ending June 30, 2009, from moneys
 10 1 received under the federal temporary assistance for needy
 10 2 families (TANF) block grant pursuant to the federal Personal
 10 3 Responsibility and Work Opportunity Reconciliation Act of
 10 4 1996, Pub. L. No. 104=193, and successor legislation, which
 10 5 are federally appropriated for the federal fiscal years
 10 6 beginning October 1, 2007, and ending September 30, 2008, and
 10 7 beginning October 1, 2008, and ending September 30, 2009, the
 10 8 following amounts, or so much thereof as is necessary, to be
 10 9 used for the purposes designated:

10 10 1. To be credited to the family investment program account
 10 11 and used for assistance under the family investment program
 10 12 under chapter 239B:
 10 13 \$ 26,101,513

10 14 2. To be credited to the family investment program account
 10 15 and used for the job opportunities and basic skills (JOBS)
 10 16 program and implementing family investment agreements in
 10 17 accordance with chapter 239B:
 10 18 \$ 13,334,528

10 19 Notwithstanding section 8.33, not more than 5 percent of
 10 20 the moneys designated in this subsection that are allocated by
 10 21 the department for contracted services, other than family
 10 22 self=sufficiency grant services allocated under this
 10 23 subsection, that remain unencumbered or unobligated at the
 10 24 close of the fiscal year shall not revert but shall remain
 10 25 available for expenditure for the purposes designated until
 10 26 the close of the succeeding fiscal year. However, unless such
 10 27 moneys are encumbered or obligated on or before September 30,
 10 28 2009, the moneys shall revert.

Grant Fund appropriation.

DETAIL: The federal government implemented Federal Welfare Reform on August 22, 1996. Federal Welfare Reform changed the funding for the Family Investment Program (FIP) from a matching program to a block grant of federal funds. The TANF Program was reauthorized on February 8, 2006, with work participation rates extended to separate State programs and the elimination of high performance bonuses; however, Iowa's grant remains the same at \$131,524,959 per year.

TANF FY 2009 Block Grant appropriation for the Family Investment Program (FIP) Account.

DETAIL: This is a decrease of \$10,789,431 compared to the estimated FY 2008 appropriation.

TANF FY 2009 Block Grant appropriation for the PROMISE JOBS Program.

DETAIL: This is a decrease of \$1,658,512 compared to the estimated FY 2008 appropriation.

CODE: Requires nonreversion of not more than 5.00% of funds allocated for contract services.

10 29 3. To be used for the family development and
 10 30 self=sufficiency grant program in accordance with 2008 Iowa
 10 31 Acts, House File 2328:
 10 32 \$ 2,998,675

TANF FY 2009 Block Grant appropriation for the Family Development and Self Sufficiency (FaDSS) Program.

DETAIL: Maintains current level of TANF support.

10 33 4. For field operations:
 10 34 \$ 17,707,495

TANF FY 2009 Block Grant appropriation for Field Operations.

DETAIL: Maintains current level of TANF support.

10 35 It is the intent of the general assembly that the
 11 1 department work with Indian tribes providing services under
 11 2 the federal Temporary Assistance for Needy Families block
 11 3 grant to Indians who reside in Iowa but live outside the
 11 4 reservation to establish a formula for providing match funding
 11 5 for the expenditures made by the tribes for such services.
 11 6 The department shall provide recommendations regarding
 11 7 implementation of the formula beginning in FY 2009=2010 to the
 11 8 governor and the persons designated by this Act to receive
 11 9 reports. For the purposes of this paragraph, "Indian",
 11 10 "reservation", and "Indian tribe" mean the same as defined in
 11 11 section 232B.3.

Specifies legislative intent that the Department work with Indian tribes to provide services under TANF for Indians who reside outside the reservation. The Department is to establish a formula to provide matching funds for expenditures made by the tribes for TANF services and provide recommendations for implementation of the formula beginning FY 2010.

DETAIL: This is a new requirement for FY 2009.

11 12 5. For general administration:
 11 13 \$ 3,744,000

TANF FY 2009 Block Grant appropriation for General Administration.

DETAIL: Maintains current level of TANF support.

11 14 6. For local administrative costs:
 11 15 \$ 2,189,830

TANF FY 2009 Block Grant appropriation for Local Administrative Costs.

DETAIL: Maintains current level of TANF support.

11 16 7. For state child care assistance:
 11 17 \$ 27,886,177

TANF FY 2009 Block Grant appropriation for Child Care Assistance.

DETAIL: This is an increase of \$8,900,000 compared to the estimated FY 2008 appropriation.

11 18 a. Of the funds appropriated in this subsection,
 11 19 \$18,986,177 shall be transferred to the child care and
 11 20 development block grant appropriation made in 2008 Iowa Acts,
 11 21 Senate File 2286, if enacted, for the federal fiscal year
 11 22 beginning October 1, 2008, and ending September 30, 2009. Of
 11 23 this amount, \$200,000 shall be used for provision of
 11 24 educational opportunities to registered child care home
 11 25 providers in order to improve services and programs offered by
 11 26 this category of providers and to increase the number of
 11 27 providers. The department may contract with institutions of
 11 28 higher education or child care resource and referral centers
 11 29 to provide the educational opportunities. Allowable
 11 30 administrative costs under the contracts shall not exceed 5
 11 31 percent. The application for a grant shall not exceed two
 11 32 pages in length.

Requires that the (DHS) use \$200,000 for training of registered child care home providers. Permits the DHS to contract with colleges or child care resource centers and specifies requirements for funding the grants and the application form for the grant.

11 33 b. Any funds appropriated in this subsection remaining
 11 34 unallocated shall be used for state child care assistance
 11 35 payments for individuals enrolled in the family investment
 12 1 program who are employed.

Specifies that any unallocated funds be used for child care assistance for families enrolled in the FIP program.

12 2 8. For mental health and developmental disabilities
 12 3 community services:
 12 4 \$ 4,894,052

TANF FY 2009 Block Grant appropriation for Mental Health and Developmental Disabilities Community Services.

DETAIL: Maintains current level of TANF support.

12 5 9. For child and family services:
 12 6 \$ 32,084,430

TANF FY 2009 Block Grant appropriation for Child and Family Services.

DETAIL: Maintains current level of TANF support.

12 7 10. For child abuse prevention grants:
 12 8 \$ 250,000

TANF FY 2009 Block Grant appropriation for Child Abuse Prevention Grants.

DETAIL: Maintains current level of TANF support.

12 9 11. For pregnancy prevention grants on the condition that
 12 10 family planning services are funded:
 12 11 \$ 1,930,067

TANF FY 2009 Block Grant appropriation for pregnancy prevention grants if family planning services are funded.

DETAIL: Maintains current level of TANF support.

12 12 Pregnancy prevention grants shall be awarded to programs in
 12 13 existence on or before July 1, 2008, if the programs are
 12 14 comprehensive in scope and have demonstrated positive
 12 15 outcomes. Grants shall be awarded to pregnancy prevention
 12 16 programs which are developed after July 1, 2008, if the
 12 17 programs are comprehensive in scope and are based on existing
 12 18 models that have demonstrated positive outcomes. Grants shall
 12 19 comply with the requirements provided in 1997 Iowa Acts,
 12 20 chapter 208, section 14, subsections 1 and 2, including the
 12 21 requirement that grant programs must emphasize sexual
 12 22 abstinence. Priority in the awarding of grants shall be given
 12 23 to programs that serve areas of the state which demonstrate
 12 24 the highest percentage of unplanned pregnancies of females of
 12 25 childbearing age within the geographic area to be served by
 12 26 the grant.

Requires the recipients of pregnancy prevention grants to meet certain requirements of comprehensiveness and demonstration of positive outcomes. Requires pregnancy prevention grants from the TANF to include the requirement that sexual abstinence be emphasized. Specifies that priority in awarding the grants should be given to programs in areas of the State that have the highest percentage of unplanned adolescent pregnancies of females of childbearing age within the geographic area served by the grant.

12 27 12. For technology needs and other resources necessary to
 12 28 meet federal welfare reform reporting, tracking, and case
 12 29 management requirements:
 12 30 \$ 1,037,186

TANF FY 2009 Block Grant appropriation for federal welfare reform reporting, tracking, and case management technology and resource needs.

DETAIL: Maintains current level of TANF support.

12 31 13. For the healthy opportunities for parents to
 12 32 experience success (HOPES) program administered by the
 12 33 department of public health to target child abuse prevention:
 12 34 \$ 200,000

TANF FY 2009 Block Grant appropriation for the Healthy Opportunities for Parents to Experience Success (HOPES) Program.

DETAIL: Maintains current level of TANF support.

12 35 14. To be credited to the state child care assistance
 13 1 appropriation made in this section to be used for funding of
 13 2 community-based early childhood programs targeted to children

TANF FY 2009 Block Grant appropriation to fund community-based programs for children from birth to age five as developed by community empowerment areas.

13 3 from birth through five years of age developed by community
 13 4 empowerment areas as provided in section 28.9:
 13 5 \$ 7,350,000

DETAIL: Maintains current level of TANF support.

13 6 The department shall transfer TANF block grant funding
 13 7 appropriated and allocated in this subsection to the child
 13 8 care and development block grant appropriation in accordance
 13 9 with federal law as necessary to comply with the provisions of
 13 10 this subsection.

Requires the DHS to transfer TANF funds to the Child Care and Development Block Grant.

13 11 15. For a pilot program established in one or more
 13 12 judicial districts, selected by the department and the
 13 13 judicial council, to provide employment and support services
 13 14 to delinquent child support obligors as an alternative to
 13 15 commitment to jail as punishment for contempt of court:
 13 16 \$ 200,000

TANF FY 2009 Block Grant appropriation for a pilot program for delinquent child support obligors.

DETAIL: Maintains the current level of TANF support.

13 17 Of the amounts appropriated in this section, \$12,962,008
 13 18 for the fiscal year beginning July 1, 2008, shall be
 13 19 transferred to the appropriation of the federal social
 13 20 services block grant for that fiscal year.

Requires that \$12,962,008 of the federal TANF funds appropriated in this Section be transferred to the federal Social Services Block Grant appropriation.

DETAIL: Maintains current level of TANF support.

13 21 The department may transfer funds allocated in this section
 13 22 to the appropriations in this Act for general administration
 13 23 and field operations for resources necessary to implement and
 13 24 operate the services referred to in this section and those
 13 25 funded in the appropriation made in this division of this Act
 13 26 for the family investment program from the general fund of the
 13 27 state.

Permits the DHS to transfer funds to general administration and field operations for costs associated with TANF-funded Programs and the Family Investment Program (FIP).

13 28 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 29 1. Moneys credited to the family investment program (FIP)

Requires funds credited to the Family Investment Program (FIP)

13 30 account for the fiscal year beginning July 1, 2008, and ending
 13 31 June 30, 2009, shall be used to provide assistance in
 13 32 accordance with chapter 239B.

Account for FY 2009 to be used as specified.

13 33 2. The department may use a portion of the moneys credited
 13 34 to the FIP account under this section as necessary for
 13 35 salaries, support, maintenance, and miscellaneous purposes.

Permits the DHS to use FIP funds for various administrative purposes.

14 1 3. The department may transfer funds allocated in this
 14 2 section to the appropriations in this Act for general
 14 3 administration and field operations for resources necessary to
 14 4 implement and operate the services referred to in this section
 14 5 and those funded in the appropriation made in this division of
 14 6 this Act for the family investment program from the general
 14 7 fund of the state.

Permits the DHS to transfer funds to general administration and field operations for costs associated with this Section.

14 8 4. Moneys appropriated in this division of this Act and
 14 9 credited to the FIP account for the fiscal year beginning July
 14 10 1, 2008, and ending June 30, 2009, are allocated as follows:

Requires that TANF Block Grant funds appropriated to the FIP Account be allocated as specified.

14 11 a. To be retained by the department of human services to
 14 12 be used for coordinating with the department of human rights
 14 13 to more effectively serve participants in the FIP program and
 14 14 other shared clients and to meet federal reporting
 14 15 requirements under the federal temporary assistance for needy
 14 16 families block grant:
 14 17 \$ 20,000

Allocates \$20,000 to the DHS to be used for administrative services.

14 18 b. To the department of human rights for staffing,
 14 19 administration, and implementation of the family development
 14 20 and self-sufficiency grant program in accordance with 2008
 14 21 Iowa Acts, House File 2328:
 14 22 \$ 5,563,042

Allocates \$5,563,042 of the FY 2009 General Fund appropriation and TANF funds to the Department of Human Rights for the Family Development and Self-Sufficiency (FaDSS) Grant Program.

DETAIL: Maintains current level of TANF support.

14 23 (1) Of the funds allocated for the family development and
 14 24 self=sufficiency grant program in this lettered paragraph, not
 14 25 more than 5 percent of the funds shall be used for the
 14 26 administration of the grant program.

Specifies that a maximum of 5.00% of the allocation be spent on administration of Family Development and Self-Sufficiency (FaDSS) Program grants.

14 27 (2) The department of human rights may continue to
 14 28 implement the family development and self=sufficiency grant
 14 29 program statewide during fiscal year 2008=2009.

Permits the Department of Human Rights to continue to implement the Family Development and Self-Sufficiency Grant Program in FY 2009.

14 30 (3) Notwithstanding section 8.33, moneys allocated in this
 14 31 lettered paragraph that remain unencumbered or unobligated at
 14 32 the close of the fiscal year shall not revert but shall remain
 14 33 available for expenditure for the purposes designated until
 14 34 the close of the succeeding fiscal year.

CODE: Permits carryforward of remaining FY 2009 funds into FY 2010.

14 35 c. For the diversion subaccount of the FIP account:
 15 1 \$ 2,814,000

Allocates \$2,814,000 of FY 2008 TANF funds for the FIP Diversion Subaccount.

DETAIL: Maintains current level of TANF support.

15 2 (1) A portion of the moneys allocated for the subaccount
 15 3 may be used for field operations salaries, data management
 15 4 system development, and implementation costs and support
 15 5 deemed necessary by the director of human services in order to
 15 6 administer the FIP diversion program.

Allows a portion of the FIP Diversion funds to be used to administer the FIP Diversion Program.

15 7 (2) Of the funds allocated in this lettered paragraph, not
 15 8 more than \$250,000 shall be used to develop or continue
 15 9 community=level parental obligation pilot projects. The
 15 10 requirements established under 2001 Iowa Acts, chapter 191,
 15 11 section 3, subsection 5, paragraph "c", subparagraph (3),
 15 12 shall remain applicable to the parental obligation pilot
 15 13 projects for fiscal year 2008=2009. Notwithstanding 441 IAC
 15 14 100.8, providing for termination of rules relating to the

Requires a maximum of \$250,000 allocated for innovation strategies to be used to develop or continue pilot projects to assist parents in meeting child support obligations. Pilot projects may also attempt to prevent family separations. Requires the projects to maximize use of existing community service resources and encourage local financial contributions. Specifies that the DHS rules governing the pilot project stay in effect until the end of FY 2009.

15 15 pilot projects the earlier of October 1, 2006, or when
 15 16 legislative authority is discontinued, the rules relating to
 15 17 the pilot projects shall remain in effect until June 30, 2009.

15 18 d. For the food stamp employment and training program:
 15 19 \$ 68,059

Allocates \$68,059 of FY 2009 FIP funds to the Food Stamp
 Employment and Training Program.

DETAIL: Maintains current level of support.

15 20 e. For the JOBS program:
 15 21 \$ 22,310,116

Permits the DHS to allocate \$22,310,116 of the FY 2009 General
 Fund appropriation and TANF funds for the PROMISE JOBS
 Program.

15 22 5. Of the child support collections assigned under FIP, an
 15 23 amount equal to the federal share of support collections shall
 15 24 be credited to the child support recovery appropriation. Of
 15 25 the remainder of the assigned child support collections
 15 26 received by the child support recovery unit, a portion shall
 15 27 be credited to the FIP account, a portion may be used to
 15 28 increase recoveries, and a portion may be used to sustain cash
 15 29 flow in the child support payments account. If as a result
 15 30 the appropriations allocated in this section are insufficient
 15 31 to sustain cash assistance payments and meet federal
 15 32 maintenance of effort requirements, the department shall seek
 15 33 supplemental funding. If child support collections assigned
 15 34 under FIP are greater than estimated or are otherwise
 15 35 determined not to be required for maintenance of effort, the
 16 1 state share of either amount may be transferred to or retained
 16 2 in the child support payment account.

Requires the federal share of child support collections recovered by
 the State to be credited to the Child Support Recovery Unit. The
 remainder of support collected is credited to the FIP account and the
 DHS is permitted to use a portion to increase recoveries and to
 sustain cash flow in the child support payments account.

16 3 6. The department may adopt emergency rules for the family
 16 4 investment, JOBS, family development and self-sufficiency
 16 5 grant, food stamp, and medical assistance programs if
 16 6 necessary to comply with federal requirements.

Permits the DHS to adopt emergency administrative rules for the FIP,
 Food Stamp Program, and Medical Assistance Program.

16 7 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is
 16 8 appropriated from the general fund of the state to the
 16 9 department of human services for the fiscal year beginning
 16 10 July 1, 2008, and ending June 30, 2009, the following amount,
 16 11 or so much thereof as is necessary, to be used for the purpose
 16 12 designated:
 16 13 To be credited to the family investment program (FIP)
 16 14 account and used for family investment program assistance
 16 15 under chapter 239B:
 16 16 \$ 42,675,127

General Fund appropriation to the DHS for the FIP, to be credited to the FIP Account.

DETAIL: Maintains current level of General Fund support.

The appropriation for the FIP Account also contains funding for the PROMISE JOBS and FaDSS Programs. The appropriation maintains the current FIP payment levels (maximum grants of \$361 per month for a family with two persons and \$426 for a family with three persons).

16 17 1. Of the funds appropriated in this section, \$8,975,588
 16 18 is allocated for the JOBS program.

General Fund allocation of \$8,975,588 for the PROMISE JOBS and FaDSS Programs.

DETAIL: Maintains current level of General Fund support.

16 19 2. Of the funds appropriated in this section, \$2,584,367
 16 20 is allocated for the family development and self-sufficiency
 16 21 grant program.

General Fund allocation of \$2,584,367 for the FaDSS Program.

DETAIL: Maintains current level of General Fund support.

16 22 3. a. Of the funds appropriated in this section, \$250,000
 16 23 shall be used for a grant to an Iowa-based nonprofit
 16 24 organization with a history of providing tax preparation
 16 25 assistance to low-income Iowans in order to expand the usage
 16 26 of the earned income tax credit. The purpose of the grant is
 16 27 to supply this assistance to underserved areas of the state.
 16 28 The grant shall be provided to an organization that has
 16 29 existing national foundation support for supplying such
 16 30 assistance that can also secure local charitable match
 16 31 funding.

General Fund allocation of \$250,000 to provide tax preparation help for low-income Iowans.

DETAIL: Maintains current level of General Fund support.

16 32 b. The general assembly supports efforts by the
 16 33 organization receiving funding under this subsection to create
 16 34 a statewide earned income tax credit and asset-building

Specifies that the General Assembly supports the efforts to create a statewide earned income tax credit and asset-building coalition.

16 35 coalition to achieve both of the following purposes:
17 1 (1) Expanding the usage of the tax credit through new and
17 2 enhanced outreach and marketing strategies, as well as
17 3 identifying new local sites and human and financial resources.
17 4 (2) Assessing and recommending various strategies for
17 5 lowans to develop assets through savings, individual
17 6 development accounts, financial literacy, antipredatory
17 7 lending initiatives, informed home ownership, use of various
17 8 forms of support for work, and microenterprise business
17 9 development targeted to persons who are self-employed or have
17 10 fewer than five employees.

17 11 4. Notwithstanding section 8.39, for the fiscal year
17 12 beginning July 1, 2008, if necessary to meet federal
17 13 maintenance of effort requirements or to transfer federal
17 14 temporary assistance for needy families block grant funding to
17 15 be used for purposes of the federal social services block
17 16 grant or to meet cash flow needs resulting from delays in
17 17 receiving federal funding or to implement, in accordance with
17 18 this division of this Act, activities currently funded with
17 19 juvenile court services, county, or community moneys and state
17 20 moneys used in combination with such moneys, the department of
17 21 human services may transfer funds within or between any of the
17 22 appropriations made in this division of this Act and
17 23 appropriations in law for the federal social services block
17 24 grant to the department for the following purposes, provided
17 25 that the combined amount of state and federal temporary
17 26 assistance for needy families block grant funding for each
17 27 appropriation remains the same before and after the transfer:
17 28 a. For the family investment program.
17 29 b. For child care assistance.
17 30 c. For child and family services.
17 31 d. For field operations.
17 32 e. For general administration.
17 33 f. MH/MR/DD/BI community services (local purchase).
17 34 This subsection shall not be construed to prohibit the use
17 35 of existing state transfer authority for other purposes. The

CODE: Specifies that the DHS has the authority to transfer TANF funds to the Social Services Block Grant as necessary to meet Maintenance of Effort requirements.

18 1 department shall report any transfers made pursuant to this
18 2 subsection to the legislative services agency.

18 3 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated
18 4 from the general fund of the state to the department of human
18 5 services for the fiscal year beginning July 1, 2008, and
18 6 ending June 30, 2009, the following amount, or so much thereof
18 7 as is necessary, to be used for the purposes designated:
18 8 For child support recovery, including salaries, support,
18 9 maintenance, and miscellaneous purposes, and for not more than
18 10 the following full-time equivalent positions:
18 11 \$ 14,951,757
18 12 FTEs 515.00

General Fund appropriation to the DHS for the Child Support Recovery Unit.

DETAIL: This is an increase of \$4,481,913 and a decrease of 4.00 FTE positions compared to the estimated FY 2008 appropriation. The increase and decreases includes:

- An increase of \$5,278,000 to compensate for a shortfall resulting from provisions in the federal Deficit Reduction Act of 2005.
- A decrease of \$71,100 due to customer service paper and postage savings.
- A decrease of \$320,960 due to savings in imaging technology.
- A decrease of \$273,942 for the delay in implementation of medical requirements.
- A decrease of \$96,085 to maintain FY 2008 computer rates.
- A decrease of \$34,000 due to enhancements in payment processing.

18 13 1. The department shall expend up to \$31,000, including
18 14 federal financial participation, for the fiscal year beginning
18 15 July 1, 2008, for a child support public awareness campaign.
18 16 The department and the office of the attorney general shall
18 17 cooperate in continuation of the campaign. The public
18 18 awareness campaign shall emphasize, through a variety of media
18 19 activities, the importance of maximum involvement of both
18 20 parents in the lives of their children as well as the
18 21 importance of payment of child support obligations.

Requires the DHS to expend up to \$31,000 during FY 2008 for a child support public awareness campaign. The funding limitation includes federal funds. The campaign is to be operated in cooperation with the Office of the Attorney General and is to emphasize parental involvement and financial support.

DETAIL: Maintains current level of General Fund support.

18 22 2. Federal access and visitation grant moneys shall be
18 23 issued directly to private not-for-profit agencies that
18 24 provide services designed to increase compliance with the

Specifies the process for utilization of receipts from federal Access and Visitation Grants.

18 25 child access provisions of court orders, including but not
 18 26 limited to neutral visitation sites and mediation services.

18 27 3. The appropriation made to the department for child
 18 28 support recovery may be used throughout the fiscal year in the
 18 29 manner necessary for purposes of cash flow management, and for
 18 30 cash flow management purposes the department may temporarily
 18 31 draw more than the amount appropriated, provided the amount
 18 32 appropriated is not exceeded at the close of the fiscal year.

Permits the DHS to use the appropriation as necessary and draw more than appropriated if needed to solve any cash flow problems, provided the amount appropriated is not exceeded at the end of the fiscal year.

18 33 Sec. 9. MEDICAL ASSISTANCE. There is appropriated from
 18 34 the general fund of the state to the department of human
 18 35 services for the fiscal year beginning July 1, 2008, and
 19 1 ending June 30, 2009, the following amount, or so much thereof
 19 2 as is necessary, to be used for the purpose designated:
 19 3 For medical assistance reimbursement and associated costs
 19 4 as specifically provided in the reimbursement methodologies in
 19 5 effect on June 30, 2008, except as otherwise expressly
 19 6 authorized by law, including reimbursement for abortion
 19 7 services which shall be available under the medical assistance
 19 8 program only for those abortions which are medically
 19 9 necessary:
 19 10 \$646,401,453

General Fund appropriation to the DHS for the Medical Assistance (Medicaid) Program.

DETAIL: This is a net increase of \$29,629,633 compared to the estimated net FY 2008 appropriation. Major increases and decreases include:

- An increase of \$3,246,805 for increases in utilization and enrollment.
- A decrease of \$863,115 for a surcharge on paper claims where electronic processing is available.
- A decrease of \$425,500 to reflect the collection of rebates on diabetic supplies.
- A decrease of \$240,000 to create two levels of targeted case management.
- An increase of \$2,795,782 to continue to cover additional children.
- A decrease of \$750,000 for changes in the nursing facility accountability payment.
- An increase of \$129,355 for a supplement in personal needs allowance of up to \$50 for ICF/MRs and ICF/MIs.
- An increase of \$1,143,522 for the Demonstration to Maintain Independence and Employment (DMIE) Program.
- An increase of \$2,500,000 to move the Brain Injury Waiver funding from the Department of Public Health to the Department of Human Services for continuation of those expenditures.
- An increase of \$7,321,954 to shift the funding of the Psychiatric

19 11 1. Medically necessary abortions are those performed under
 19 12 any of the following conditions:
 19 13 a. The attending physician certifies that continuing the
 19 14 pregnancy would endanger the life of the pregnant woman.
 19 15 b. The attending physician certifies that the fetus is
 19 16 physically deformed, mentally deficient, or afflicted with a
 19 17 congenital illness.
 19 18 c. The pregnancy is the result of a rape which is reported
 19 19 within 45 days of the incident to a law enforcement agency or
 19 20 public or private health agency which may include a family
 19 21 physician.
 19 22 d. The pregnancy is the result of incest which is reported
 19 23 within 150 days of the incident to a law enforcement agency or
 19 24 public or private health agency which may include a family
 19 25 physician.
 19 26 e. Any spontaneous abortion, commonly known as a
 19 27 miscarriage, if not all of the products of conception are
 19 28 expelled.

19 29 2. The department shall utilize not more than \$60,000 of
 19 30 the funds appropriated in this section to continue the
 19 31 AIDS/HIV health insurance premium payment program as
 19 32 established in 1992 Iowa Acts, Second Extraordinary Session,
 19 33 chapter 1001, section 409, subsection 6. Of the funds

Papers Program to Medicaid.

- An increase of \$35,327,368 to shift funding from the Healthy Iowans Tobacco Trust Fund to Medicaid General Fund.
- A decrease of \$19,963,138 for a shift in funding sources from the General Fund to the Property Tax Credit Fund, Health Care Trust Fund, and the Senior Living Trust Fund.
- A decrease of \$260,000 to adjust for PMICs insurance coverage after 30 days. This will now be covered by insurance carriers.
- A decrease of \$333,600 for a reduction in Medicaid and hawk-i advertising.

Specifies conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: This is the same language that has been in the DHS Appropriations Bill for several years.

Requires the DHS to use a maximum of \$60,000 of the funds appropriated for Medical Assistance to continue the Acquired Immune Deficiency Syndrome/Human Immunodeficiency Virus (AIDS/HIV) Health Insurance Premium Payment as established during the Second Extraordinary Session in 1992.

19 34 allocated in this subsection, not more than \$5,000 may be
19 35 expended for administrative purposes.

DETAIL: Maintains current level of General Fund support.

20 1 3. Of the funds appropriated in this Act to the department
20 2 of public health for addictive disorders, \$950,000 for the
20 3 fiscal year beginning July 1, 2008, shall be transferred to
20 4 the department of human services for an integrated substance
20 5 abuse managed care system. The department shall not assume
20 6 management of the substance abuse system in place of the
20 7 managed care contractor unless such a change in approach is
20 8 specifically authorized in law. The departments of human
20 9 services and public health shall work together to maintain the
20 10 level of mental health and substance abuse services provided
20 11 by the managed care contractor through the Iowa plan for
20 12 behavioral health. Each department shall take the steps
20 13 necessary to continue the federal waivers as necessary to
20 14 maintain the level of services.

Requires \$950,000 from the Substance Abuse Grants appropriation within the Department of Public Health to be transferred to the Medical Assistance Program in the DHS for continuation of the Managed Substance Abuse Treatment Program. Also, requires the DHS to assume management of the Program.

DETAIL: Maintains current level of General Fund support. The Managed Substance Abuse Treatment Program was funded for the first time in FY 1996.

20 15 4. a. The department shall aggressively pursue options
20 16 for providing medical assistance or other assistance to
20 17 individuals with special needs who become ineligible to
20 18 continue receiving services under the early and periodic
20 19 screening, diagnosis, and treatment program under the medical
20 20 assistance program due to becoming 21 years of age who have
20 21 been approved for additional assistance through the
20 22 department's exception to policy provisions, but who have
20 23 health care needs in excess of the funding available through
20 24 the exception to policy provisions.

Requires the DHS to aggressively pursue options for assisting special need individuals that become ineligible for continued services under the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program as a result of turning 21 years of age. The individuals are to have been approved for additional assistance through the DHS exception to policy process, but have health care needs exceeding available funding. This Section requires the Department to allocate \$100,000 to fund one or more pilot projects focused on providing care in the community.

20 25 b. Of the funds appropriated in this section, \$100,000
20 26 shall be used for participation in one or more pilot projects
20 27 operated by a private provider to allow the individual or
20 28 individuals to receive service in the community in accordance
20 29 with principles established in *Olmstead v. L.C.*, 527 U.S. 581
20 30 (1999), for the purpose of providing medical assistance or
20 31 other assistance to individuals with special needs who become
20 32 ineligible to continue receiving services under the early and

DETAIL: Maintains current level of General Fund support.

20 33 periodic screening, diagnosis, and treatment program under the
20 34 medical assistance program due to becoming 21 years of age who
20 35 have been approved for additional assistance through the
21 1 department's exception to policy provisions, but who have
21 2 health care needs in excess of the funding available through
21 3 the exception to the policy provisions.

21 4 5. Of the funds appropriated in this section, up to
21 5 \$3,050,082 may be transferred to the field operations or
21 6 general administration appropriations in this Act for
21 7 operational costs associated with Part D of the federal
21 8 Medicare Prescription Drug, Improvement, and Modernization Act
21 9 of 2003, Pub. L. No. 108=173.

Permits the DHS to transfer up to \$3,050,082 to Field Operations or General Administration for implementation costs of the new Medicare Part D prescription drug benefit and low-income subsidy application process.

21 10 6. In addition to any other funds appropriated in this
21 11 Act, of the funds appropriated in this section, \$250,000 shall
21 12 be used for the grant to the Iowa healthcare collaborative as
21 13 defined in section 135.40.

Allocates a \$250,000 grant from the General Fund appropriation for Medical Assistance to the Iowa Healthcare Collaborative for efforts to promote improvements in health care.

21 14 7. Of the funds appropriated in this section, not more
21 15 than \$166,600 shall be used to enhance outreach efforts. The
21 16 department may transfer funds allocated in this subsection to
21 17 the appropriations in this division of this Act for general
21 18 administration, the state children's health insurance program,
21 19 or medical contracts, as necessary, to implement the outreach
21 20 efforts.

Allows the Department to expend up to \$166,600 for outreach for the Medicaid and hawk-i programs.

21 21 8. Of the funds appropriated in this section, up to
21 22 \$442,100 may be transferred to the appropriation in this Act
21 23 for medical contracts to be used for clinical assessment
21 24 services related to remedial services in accordance with
21 25 federal law.

Allows a maximum of \$442,100 for Clinical Assessment Services.

DETAIL: Maintains current allocation level.

21 26 9. Of the funds appropriated in this section, \$1,143,522

Permits the DHS to expend \$1,143,522 for the Demonstration to

21 27 may be used for the demonstration to maintain independence and
 21 28 employment (DMIE) if the waiver for DMIE is approved by the
 21 29 centers for Medicare and Medicaid services of the United
 21 30 States department of health and human services. Additionally,
 21 31 if the waiver is approved, \$440,000 of the funds shall be
 21 32 transferred to the department of corrections for DMIE
 21 33 activities.

Maintain Independence and Employment (DMIE) waiver if approval is received from the federal government. In addition, the Department is to transfer \$440,000 to the Department of Corrections for DMIE activities.

DETAIL: The DHS and the Department of Corrections applied for the DMIE waiver. The waiver would provide medication and counseling for inmates with mental illness being released from correctional facilities.

21 34 10. The drug utilization review commission shall monitor
 21 35 the smoking cessation benefit provided under the medical
 22 1 assistance program and shall provide a report of utilization,
 22 2 client success, cost=effectiveness, and recommendations for
 22 3 any changes in the benefit to the persons designated in this
 22 4 Act to receive reports by January 15, 2009. If a prescriber
 22 5 determines that all smoking cessation aids on the preferred
 22 6 drug list are not effective or medically appropriate for a
 22 7 patient, the prescriber may apply for an exception to policy
 22 8 for another product approved by the United States food and
 22 9 drug administration for smoking cessation pursuant to 441 IAC
 22 10 1.8(1).

Requires the DHS Drug Utilization Review Commission to monitor smoking cessation benefits provided under the Medicaid Program and report any recommendations for changes by January 15, 2009.

22 11 11. A portion of the funds appropriated in this section
 22 12 may be transferred to the appropriations in this division of
 22 13 this Act for general administration, medical contracts, the
 22 14 state children's health insurance program, or field operations
 22 15 to be used for the state match cost to comply with the payment
 22 16 error rate measurement (PERM) program for both the medical
 22 17 assistance and state children's health insurance programs as
 22 18 developed by the centers for Medicare and Medicaid services of
 22 19 the United States department of health and human services to
 22 20 comply with the federal Improper Payments Information Act of
 22 21 2002, Pub. L. No. 107=300.

Permits the Department to use a portion of the funds appropriated to carry out the Payment Error Rate Measurement (PERM) Program. This brings the Department into compliance with the federal Improper Payments Information Act of 2002.

22 22 12. It is the intent of the general assembly that the

Specifies legislative intent that the Department implement the

22 23 department implement the recommendations of the assuring
 22 24 better child health and development initiative II (ABCDII)
 22 25 clinical panel to the Iowa early and periodic screening,
 22 26 diagnostic, and treatment services healthy mental development
 22 27 collaborative board regarding changes to billing procedures,
 22 28 codes, and eligible service providers.

recommendations of the ABCD II Clinical Panel for changes to billing procedures, codes, and eligible service providers.

22 29 13. Of the funds appropriated in this section, a
 22 30 sufficient amount is allocated to supplement the incomes of
 22 31 residents of nursing facilities, intermediate care facilities
 22 32 for persons with mental illness, and intermediate care
 22 33 facilities for persons with mental retardation, with incomes
 22 34 of less than \$50 in the amount necessary for the residents to
 22 35 receive a personal needs allowance of \$50 per month pursuant
 23 1 to section 249A.30A.

Requires the Department to provide residents in nursing facilities, ICF/MRs and ICF/MIs with a personal needs allowance of \$50 per month.

DETAIL: This adds provisions for residents in both ICF/MRs and ICF/MIs to have their income supplemented in FY 2009.

23 2 14. Of the funds appropriated in this section, the
 23 3 following amounts shall be transferred to appropriations made
 23 4 in this division of this Act to the state mental health
 23 5 institutes:
 23 6 a. Cherokee mental health institute \$ 5,933,659
 23 7 b. Clarinda mental health institute \$ 1,289,526
 23 8 c. Independence mental health institute \$ 5,899,400
 23 9 d. Mount Pleasant mental health institute \$ 3,751,626

Transfers funds from the Medical Assistance appropriation to the four Mental Health Institutes.

DETAIL: This is a new transfer for FY 2009. The funds are transferred to replace funding from the IowaCare Program that is being phased out in FY 2009 and FY 2010.

23 10 15. a. Of the funds appropriated in this section,
 23 11 \$2,753,055 is allocated for state match for disproportionate
 23 12 share hospital payment of \$7,321,954 to hospitals that meet
 23 13 both of the following conditions:
 23 14 (1) The hospital qualifies for disproportionate share and
 23 15 graduate medical education payments.
 23 16 (2) The hospital is an Iowa state-owned hospital with more
 23 17 than 500 beds and eight or more distinct residency specialty
 23 18 or subspecialty programs recognized by the American college of
 23 19 graduate medical education.

Allocates \$2,753,055 for the State match for the disproportionate share hospital payment of \$7,321,954. This is a new allocation for FY 2009.

23 20 b. Distribution of the disproportionate share payment
23 21 shall be made on a monthly basis. The total amount of
23 22 disproportionate share payments including graduate medical
23 23 education, enhanced disproportionate share, and Iowa
23 24 state-owned teaching hospital payments shall not exceed the
23 25 amount of the state's allotment under Pub. L. No. 102=234. In
23 26 addition, the total amount of all disproportionate share
23 27 payments shall not exceed the hospital-specific
23 28 disproportionate share limits under Pub. L. No. 103=66.

23 29 16. Of the funds appropriated in this section, \$4,568,899
23 30 is transferred to the IowaCare account created in section
23 31 249J.24.

Transfers \$4,568,899 to the IowaCare Program. This is a new transfer for FY 2009.

23 32 17. Of the funds appropriated in this section, \$250,000
23 33 shall be used for the Iowa chronic care consortium pursuant to
23 34 2003 Iowa Acts, chapter 112, section 12, as amended by 2003
23 35 Iowa Acts, chapter 179, sections 166 and 167.

Allocates \$250,000 to the Iowa Chronic Care Consortium.

DETAIL: This is the same level of allocation compared to FY 2008.

24 1 18. The department shall implement cost-saving initiatives
24 2 including implementing a surcharge for claims filed on paper
24 3 when electronic filing is available and collecting a
24 4 supplemental rebate for diabetic supplies.

Requires the Department to implement various cost savings initiatives.

24 5 19. One hundred percent of the nonfederal share of
24 6 payments to area education agencies that are medical
24 7 assistance providers for medical assistance-covered services
24 8 provided to medical assistance-covered children, shall be made
24 9 from the appropriation made in this section.

Allocates Medicaid funds to Area Education Agencies.

24 10 20. a. Beginning July 1, 2009, any new or renewed
24 11 contract entered into by the department with a third party to
24 12 administer behavioral health services under the medical
24 13 assistance program shall provide that any interest earned on

Specifies that any new or renewed contract with a third party behavioral health administrator requires interest earned to be remitted to the Department for deposit into a separate account that can only be used for Health and Human Services related activities.

24 14 payments from the state during the state fiscal year shall be
24 15 remitted to the department for deposit in a separate account
24 16 after the end of the fiscal year.
24 17 b. Beginning July 1, 2008, the department shall maintain a
24 18 separate account within the medical assistance budget for the
24 19 deposit of all funds remitted pursuant to a contract with a
24 20 third party to administer behavioral health services under the
24 21 medical assistance program. Notwithstanding section 8.33,
24 22 funds remaining in the account that remain unencumbered or
24 23 unobligated at the end of any fiscal year shall not revert but
24 24 shall remain available in succeeding fiscal years and shall be
24 25 used only in accordance with appropriations from the account
24 26 for health and human services=related purposes.

24 27 c. Of the state share of any funds remitted to the medical
24 28 assistance program pursuant to a contract with a third party
24 29 to administer behavioral health services under the medical
24 30 assistance program, the following amounts are appropriated to
24 31 the department for the fiscal year beginning July 1, 2008, and
24 32 ending June 30, 2009, to be used as follows:
24 33 (1) For implementation of the emergency mental health
24 34 crisis services system in accordance with section 225C.19, as
24 35 enacted by this Act, \$1,500,000.
25 1 (2) For implementation of the mental health services
25 2 system for children and youth in accordance with section
25 3 225C.52, as enacted by this Act, \$500,000.
25 4 (3) For the mental health, mental retardation, and
25 5 developmental disabilities risk pool created in the property
25 6 tax relief fund in section 426B.5, \$1,000,000.
25 7 (4) To reduce the waiting lists of the medical assistance
25 8 home and community=based services waivers, \$2,000,000. The
25 9 department shall distribute the funding allocated under this
25 10 subparagraph proportionately among all home and
25 11 community=based services waivers.
25 12 (5) For child welfare and court=ordered services for
25 13 children who have been adjudicated as delinquent, \$750,000.
25 14 (6) For training for child welfare services providers,

Specifies that funds remitted under the current contract with Magellan Behavioral Health must be appropriated as follows:

- \$1,500,000 for Emergency Mental Health Crisis Services.
- \$500,000 for the Children and Youth Mental Health Services System.
- \$1,000,000 to the Mental Health Risk Pool in the Property Tax Relief Fund.
- \$2,000,000 for the Medicaid Home and Community Based Waiver Services.
- \$750,000 for Court Ordered Services for children that have been adjudicated as delinquent.
- \$250,000 for training for child welfare service providers.

25 15 \$250,000. The training shall be developed by the department
 25 16 in collaboration with the coalition for children and family
 25 17 services in Iowa.

25 18 d. The department shall provide the results of the audits
 25 19 of the third party administering behavioral health services
 25 20 under the medical assistance program for the fiscal years
 25 21 beginning July 1, 2006, and July 1, 2007, to the legislative
 25 22 services agency for review.

Requires the DHS to provide the FY 2007 and FY 2008 audits from the Medicaid behavioral health service contractor to the Legislative Services Agency.

25 23 21. Of the funds appropriated in this section, at least
 25 24 \$2,500,000 shall be used for existing and new home and
 25 25 community-based waiver slots for persons with brain injury.

Requires that \$2,500,000 go to continue or expand the Brain Injury Waiver transferred from the Department of Public Health.

25 26 Sec. 10. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There
 25 27 is appropriated from the general fund of the state to the
 25 28 department of human services for the fiscal year beginning
 25 29 July 1, 2008, and ending June 30, 2009, the following amount,
 25 30 or so much thereof as is necessary, to be used for the purpose
 25 31 designated:

General Fund appropriation to the DHS for the Health Insurance Premium Payment (HIPP) Program.

25 32 For administration of the health insurance premium payment
 25 33 program, including salaries, support, maintenance, and
 25 34 miscellaneous purposes, and for not more than the following
 25 35 full-time equivalent positions:

DETAIL: A decrease of \$107,260 to transfer technology staff to General Administration and no change in FTE positions.

26 1 \$ 566,338
 26 2 FTEs 21.00

26 3 Sec. 11. MEDICAL CONTRACTS. There is appropriated from
 26 4 the general fund of the state to the department of human
 26 5 services for the fiscal year beginning July 1, 2008, and
 26 6 ending June 30, 2009, the following amount, or so much thereof
 26 7 as is necessary, to be used for the purpose designated:
 26 8 For medical contracts, including salaries, support,
 26 9 maintenance, and miscellaneous purposes, and for not more than
 26 10 the following full-time equivalent positions:

General Fund appropriation to the DHS for Medical Contracts.

DETAIL: This is a net increase of \$374,992 compared to the estimated FY 2008 appropriation and no change in FTE positions. Changes include:

- A decrease of \$250,000 to maintain FY 2008 funding levels for Home and Community-Based Waiver Services (HCBS) reviews.

| PG LN | Senate File 2425 | Explanation |
|-------|--|---|
| 26 11 | \$ 14,165,550 | <ul style="list-style-type: none"> An increase of \$624,992 for increases in costs of a contract with the Department of Inspections and Appeals. |
| 26 12 | FTEs 6.00 | |
| 26 13 | 1. Of the funds appropriated in this section, \$50,000 | Allocates \$50,000 for a data match with the Department of Public Health and outreach for citizenship requirements for Medicaid applicants. |
| 26 14 | shall be used for electronic cross=matching with state vital | |
| 26 15 | records databases through the department of public health. | |
| 26 16 | 2. Of the funds appropriated in this section, \$250,000 | Allocates \$250,000 for increased monitoring of the Home and Community-Based Services waivers to assure information is being documented correctly and to avoid federal audits. |
| 26 17 | shall be used for monitoring of home and community=based | |
| 26 18 | services waivers. | |
| 26 19 | Sec. 12. STATE SUPPLEMENTARY ASSISTANCE. | General Fund appropriation to the DHS for State Supplementary Assistance. |
| 26 20 | 1. There is appropriated from the general fund of the | |
| 26 21 | state to the department of human services for the fiscal year | DETAIL: This is an increase of \$1,100,000 compared to the estimated FY 2008 appropriation to restore carryforward funds from FY 2007. |
| 26 22 | beginning July 1, 2008, and ending June 30, 2009, the | |
| 26 23 | following amount, or so much thereof as is necessary, to be | |
| 26 24 | used for the purpose designated: | |
| 26 25 | For the state supplementary assistance program: | |
| 26 26 | \$ 18,310,335 | |
| 26 27 | 2. The department shall increase the personal needs | Requires the DHS to increase the personal needs allowance of residential care facilities residents at the same rate and time as federal Supplemental Security Income (SSI) and Social Security benefits are increased. Permits the DHS to adopt emergency rules for implementation. |
| 26 28 | allowance for residents of residential care facilities by the | |
| 26 29 | same percentage and at the same time as federal supplemental | |
| 26 30 | security income and federal social security benefits are | |
| 26 31 | increased due to a recognized increase in the cost of living. | |
| 26 32 | The department may adopt emergency rules to implement this | |
| 26 33 | subsection. | |
| 26 34 | 3. If during the fiscal year beginning July 1, 2008, the | Permits the DHS to adjust rates for State Supplementary Assistance to meet federal maintenance of effort requirements. Permits the DHS to adopt emergency rules for implementation. |
| 26 35 | department projects that state supplementary assistance | |
| 27 1 | expenditures for a calendar year will not meet the federal | |
| 27 2 | pass-through requirement specified in Title XVI of the federal | |
| 27 3 | Social Security Act, section 1618, as codified in 42 U.S.C. | |

27 4 1382g, the department may take actions including but not
 27 5 limited to increasing the personal needs allowance for
 27 6 residential care facility residents and making programmatic
 27 7 adjustments or upward adjustments of the residential care
 27 8 facility or in-home health-related care reimbursement rates
 27 9 prescribed in this division of this Act to ensure that federal
 27 10 requirements are met. In addition, the department may make
 27 11 other programmatic and rate adjustments necessary to remain
 27 12 within the amount appropriated in this section while ensuring
 27 13 compliance with federal requirements. The department may
 27 14 adopt emergency rules to implement the provisions of this
 27 15 subsection.

27 16 Sec. 13. STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

27 17 1. There is appropriated from the general fund of the
 27 18 state to the department of human services for the fiscal year
 27 19 beginning July 1, 2008, and ending June 30, 2009, the
 27 20 following amount, or so much thereof as is necessary, to be
 27 21 used for the purpose designated:

27 22 For maintenance of the healthy and well kids in Iowa (hawk=
 27 23 i) program pursuant to chapter 514I for receipt of federal
 27 24 financial participation under Title XXI of the federal Social
 27 25 Security Act, which creates the state children's health
 27 26 insurance program:
 27 27 \$ 15,873,103

27 28 2. If sufficient funding is available under this Act, and
 27 29 if federal reauthorization of the state children's health
 27 30 insurance program provides sufficient federal allocations to
 27 31 the state and authorization to cover the following populations
 27 32 as an option under the state children's health insurance

General Fund appropriation to the DHS for the Children's Health Insurance Program, also known as the Healthy and Well Kids in Iowa (*hawk-i*) Program.

DETAIL: This is a net increase of \$1,002,051 compared to the FY 2008 appropriation. Major increases and decreases include:

- An increase of \$2,129,703 to continue to enroll additional eligible children.
- A decrease of \$9,000,000 due to funds available from the *hawk-i* Trust Fund.
- An increase of \$8,329,570 to transfer funding from the Health Care Trust Fund.
- An increase of \$134,050 to continue an outreach contract with the Department of Public Health
- An increase of \$71,416 to continue advertising and outreach.
- A decrease of \$662,688 to reflect the appropriate Federal Medical Assistance Percentage (FMAP) rate.

Specifies that if funding is available under the State Children's Health Insurance Program, coverage should be expanded to children of State employees that would be eligible but are currently excluded, legal immigrant children, and children up to age 21 or up to age 23 if attending school.

27 33 program, the department may expand coverage under the state
27 34 children's health insurance program as follows:
27 35 a. By eliminating the categorical exclusion of state
28 1 employees from receiving state children's health insurance
28 2 program benefits.
28 3 b. By providing coverage for legal immigrant children and
28 4 pregnant women not eligible under current federal guidelines.
28 5 c. By covering children up to age twenty=one, or up to age
28 6 twenty=three if the child is attending school.

28 7 3. If the United States Congress does not authorize
28 8 additional federal funds necessary to address any shortfall
28 9 for the state children's health insurance program for the
28 10 federal fiscal year beginning October 1, 2008, and ending
28 11 September 30, 2009, the department may use 100 percent of
28 12 state funds from the appropriation made in this section for
28 13 the period beginning July 1, 2008, and ending June 30, 2009,
28 14 and may, after consultation with the governor and the general
28 15 assembly, utilize funding from the appropriations made in this
28 16 Act for medical assistance to maintain the state children's
28 17 health insurance program. If deemed necessary, the department
28 18 shall request a supplemental appropriation from the
28 19 Eighty=third General Assembly, 2009 Session, to address any
28 20 remaining shortfall for the fiscal year beginning July 1,
28 21 2008.

28 22 4. Of the funds appropriated in this section, \$134,050 is
28 23 allocated for continuation of the contract for advertising and
28 24 outreach with the department of public health and \$90,050 is
28 25 allocated for other advertising and outreach.

28 26 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated
28 27 from the general fund of the state to the department of human
28 28 services for the fiscal year beginning July 1, 2008, and
28 29 ending June 30, 2009, the following amount, or so much thereof
28 30 as is necessary, to be used for the purpose designated:

Permits the DHS to use all State funds if the United States Congress does not authorize additional federal funds necessary to cover the cost of the program. After consultation with the Governor and the General Assembly, the DHS may use other funds appropriated in this Bill.

Allocates \$134,050 to continue an outreach contract with the Department of Public Health and allocates up to \$90,050 for additional advertising and outreach.

General Fund appropriation to the DHS for the Child Care Assistance Program.

DETAIL: This is a net increase of \$1,423,194 compared to the estimated FY 2008 appropriation. The change includes:

28 31 For child care programs:

28 32 \$ 39,298,895

- A decrease of \$54,451 to replace the FY 2007 carryforward.
- A decrease of \$158,469 for Field Operations staff costs transferred to Feed Operations.
- A decrease of \$24,459 for information technology costs transferred to General Administration.
- A decrease of \$148,711 due to an increase in the available federal match.
- A decrease of \$1,100,000 to maintain the FY 2008 amount for child care training. The FY 2009 amount transferred from the Temporary Assistance for Needy Families (TANF) funds provides an increase in the same amount for this purpose. The result is to maintain the FY 2008 amount for child care training.
- An increase of \$350,000 for a transfer to a single county for related child care costs for children with exceptional needs.
- An increase of \$2,559,284 for additional child care subsidy funds.

An additional \$2,000,000 in TANF funds are made available for the FY 2009 child care subsidy funding. An additional \$6,100,000 from FY 2008 Child and Family Services funds are transferred to the child care appropriation to use in FY 2009. An additional \$440,716 from the hawk-i Trust Fund is transferred to the child care appropriation to use in FY 2009.

28 33 1. Of the funds appropriated in this section, \$36,043,083
28 34 shall be used for state child care assistance in accordance
28 35 with section 237A.13.

Requires that \$36,043,083 be used to provide child care assistance for low-income employed lowans.

DETAIL: This is an increase of \$1,073,194 compared to the FY 2008 allocation. This does not include funds from FY 2008 made available for expenditure in FY 2009 through carryforward funds and additional TANF funding.

29 1 2. Nothing in this section shall be construed or is
29 2 intended as or shall imply a grant of entitlement for services
29 3 to persons who are eligible for assistance due to an income
29 4 level consistent with the waiting list requirements of section
29 5 237A.13. Any state obligation to provide services pursuant to

Specifies that assistance from the Child Care Assistance Program is not an entitlement and the State's obligation to provide services is limited to the funds available.

29 6 this section is limited to the extent of the funds
29 7 appropriated in this section.

29 8 3. Of the funds appropriated in this section, \$525,524 is
29 9 allocated for the statewide program for child care resource
29 10 and referral services under section 237A.26. A list of the
29 11 registered and licensed child care facilities operating in the
29 12 area served by a child care resource and referral service
29 13 shall be made available to the families receiving state child
29 14 care assistance in that area.

Allocates \$525,524 for the Statewide Child Care Resource and Referral Program. Requires a list of the registered and licensed child care facilities to be made available by Child Care Resource and Referral Programs to families receiving assistance under the Child Care Assistance Program.

DETAIL: Maintains current allocation level.

29 15 4. Of the funds appropriated in this section, \$1,180,288
29 16 is allocated for child care quality improvement initiatives
29 17 including but not limited to the voluntary quality rating
29 18 system in accordance with section 237A.30.

Allocates \$1,180,288 for the Quality Rating System (QRS).

DETAIL: This is the same as the FY 2008 allocation level.

29 19 5. The department may use any of the funds appropriated in
29 20 this section as a match to obtain federal funds for use in
29 21 expanding child care assistance and related programs. For the
29 22 purpose of expenditures of state and federal child care
29 23 funding, funds shall be considered obligated at the time
29 24 expenditures are projected or are allocated to the
29 25 department's service areas. Projections shall be based on
29 26 current and projected caseload growth, current and projected
29 27 provider rates, staffing requirements for eligibility
29 28 determination and management of program requirements including
29 29 data systems management, staffing requirements for
29 30 administration of the program, contractual and grant
29 31 obligations and any transfers to other state agencies, and
29 32 obligations for decategorization or innovation projects.

Permits funds appropriated for child care to be used as matching funds for federal grants. Specifies that funds are obligated when expenditures are projected or allocated to the DHS regions.

DETAIL: This provision was also in effect for FY 2008.

29 33 6. A portion of the state match for the federal child care
29 34 and development block grant shall be provided as necessary to
29 35 meet federal matching funds requirements through the state
30 1 general fund appropriation made for child development grants

Requires that a portion of the State match for the federal Child Care and Development Block Grant be provided from the State appropriation for child development grants and other programs for at-risk children.

30 2 and other programs for at-risk children in section 279.51.

30 3 7. Of the funds appropriated in this section, \$1,200,000
30 4 is transferred to the Iowa empowerment fund from which it is
30 5 appropriated to be used for professional development for the
30 6 system of early care, health, and education.

Requires a transfer of \$1,200,000 to the Iowa Empowerment Board for professional development opportunities for individuals working in early care, health, and education.

DETAIL: Maintains the current allocation level.

30 7 8. Of the funds appropriated in this section, \$350,000
30 8 shall be allocated to a county with a population of more than
30 9 300,000 to be used for a one-time grant to support child care
30 10 center services provided to children with mental, physical, or
30 11 emotional challenges in order for the children to remain in a
30 12 home or family setting.

Requires that \$350,000 of the Child Care appropriation be transferred to Polk County to support child care center services for children with various special needs.

30 13 9. Notwithstanding section 8.33, moneys appropriated in
30 14 this section or received from the federal appropriations made
30 15 for the purposes of this section that remain unencumbered or
30 16 unobligated at the close of the fiscal year shall not revert
30 17 to any fund but shall remain available for expenditure for the
30 18 purposes designated until the close of the succeeding fiscal
30 19 year.

CODE: Requires nonreversion of FY 2009 Child Care Assistance Program funds.

30 20 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated
30 21 from the general fund of the state to the department of human
30 22 services for the fiscal year beginning July 1, 2008, and
30 23 ending June 30, 2009, the following amounts, or so much
30 24 thereof as is necessary, to be used for the purposes
30 25 designated:

30 26 1. For operation of the Iowa juvenile home at Toledo and
30 27 for salaries, support, and maintenance, and for not more than
30 28 the following full-time equivalent positions:

General Fund appropriation to the DHS for the Juvenile Home at Toledo.

DETAIL: Maintains current level of General Fund and FTE support.

| PG LN | Senate File 2425 | Explanation |
|-------|---|--|
| 30 29 | \$ 7,579,484 | |
| 30 30 | FTEs 126.00 | |
| 30 31 | 2. For operation of the state training school at Eldora | General Fund appropriation to the DHS for the State Training School at Eldora. |
| 30 32 | and for salaries, support, and maintenance, and for not more | |
| 30 33 | than the following full-time equivalent positions: | |
| 30 34 | \$ 11,948,327 | DETAIL: Maintains current level of General Fund and an increase of 0.75 FTE position. |
| 30 35 | FTEs 202.70 | |
| 31 1 | 3. A portion of the moneys appropriated in this section | Requires a portion of the funds appropriated for the two juvenile institutions to be used for pregnancy prevention in FY 2009. |
| 31 2 | shall be used by the state training school and by the Iowa | |
| 31 3 | juvenile home for grants for adolescent pregnancy prevention | |
| 31 4 | activities at the institutions in the fiscal year beginning | DETAIL: This requirement was also required in FY 2008. |
| 31 5 | July 1, 2008. | |
| 31 6 | Sec. 16. CHILD AND FAMILY SERVICES. | General Fund appropriation to the DHS for Child and Family Services. |
| 31 7 | 1. There is appropriated from the general fund of the | |
| 31 8 | state to the department of human services for the fiscal year | DETAIL: This is a net increase of \$37,245 compared to the estimated FY 2008 appropriation. The change includes: |
| 31 9 | beginning July 1, 2008, and ending June 30, 2009, the | |
| 31 10 | following amount, or so much thereof as is necessary, to be | |
| 31 11 | used for the purpose designated: | |
| 31 12 | For child and family services: | |
| 31 13 | \$ 88,557,565 | <ul style="list-style-type: none"> • An increase of \$200,000 to replace FY 2007 carryforward for the Juvenile Drug Court Program. • An increase of \$1,161,825 for family foster care caseloads. • An increase of \$123,394 for changes to federal funding. • An increase of \$1,459,309 to transfer expenditures from the Adoption Subsidy Program. • An increase of \$324,873 to maintain the foster care subsidy rates. • An increase of \$40,725 to maintain the Preparation for Adult Living Services (PALS) subsidy rates. • A decrease of \$210,000 to eliminate the one-time FY 2008 transfer to the Mental Health Risk Pool. • A decrease of \$761,941 to utilize boot camp funding in a manner eligible for federal Title IV-E funding. • A decrease of \$51,500 to eliminate the nine-county family treatment grant. • A decrease of \$152,440 to eliminate the mediation pilot project. |

- A decrease of \$1,000,000 to reformulate the shelter care beds funding.
 - A decrease of \$3,605,000 to retain the decategorization funding that would revert to the General Fund.
 - An increase of \$80,000 for the Linn County Runaway Program. This was funded in FY 2008 from the Juvenile Detention Fund.
 - An increase of \$418,000 for the Community Partnerships for Children Transitional Funding. This was funded in FY 2008 from the Juvenile Detention Fund.
 - An increase of \$375,000 for minority youth and family projects within child welfare redesign.
 - An increase of \$300,000 for the State Match for the Substance Abuse and Mental Health Services Administration (SAMHSA) Grant. This was funded in FY 2008 from the Juvenile Detention Fund.
 - An increase of \$1,324,000 for Group Care. This was funded in FY 2008 from the Juvenile Detention Fund.
- An increase of \$11,000 for the Elevate Program.

31 14 2. In order to address a reduction of \$5,200,000 from the
 31 15 amount allocated under the appropriation made for the purposes
 31 16 of this section in prior years for purposes of juvenile
 31 17 delinquent graduated sanction services, up to \$5,200,000 of
 31 18 the amount of federal temporary assistance for needy families
 31 19 block grant funding appropriated in this division of this Act
 31 20 for child and family services shall be made available for
 31 21 purposes of juvenile delinquent graduated sanction services.

Allocates \$5,200,000 in Temporary Assistance to Needy Families (TANF) funds for delinquency programs.

DETAIL: Maintains current allocation level.

31 22 3. The department may transfer funds appropriated in this
 31 23 section as necessary to pay the nonfederal costs of services
 31 24 reimbursed under the medical assistance program, state child
 31 25 care assistance program, or the family investment program
 31 26 which are provided to children who would otherwise receive
 31 27 services paid under the appropriation in this section. The
 31 28 department may transfer funds appropriated in this section to
 31 29 the appropriations in this division of this Act for general

Permits the DHS to transfer funds appropriated for Child and Family Services to Medicaid, the Family Investment Program (FIP), General Administration, or Field Operations to pay for costs associated with child welfare services in these areas.

31 30 administration and for field operations for resources
31 31 necessary to implement and operate the services funded in this
31 32 section.

31 33 4. a. Of the funds appropriated in this section, up to
31 34 \$36,441,744 is allocated as the statewide expenditure target
31 35 under section 232.143 for group foster care maintenance and
32 1 services.

Allocates up to \$36,441,744 for group care services and maintenance costs.

DETAIL: This is an increase of \$525,217 compared to the FY 2008 allocation. Of these funds, \$1,324,000 is new within this General Fund allocation for FY 2009. In FY 2008, \$1,324,000 was originally allocated from the Juvenile Detention Fund for group care.

32 2 b. If at any time after September 30, 2008, annualization
32 3 of a service area's current expenditures indicates a service
32 4 area is at risk of exceeding its group foster care expenditure
32 5 target under section 232.143 by more than 5 percent, the
32 6 department and juvenile court services shall examine all group
32 7 foster care placements in that service area in order to
32 8 identify those which might be appropriate for termination. In
32 9 addition, any aftercare services believed to be needed for the
32 10 children whose placements may be terminated shall be
32 11 identified. The department and juvenile court services shall
32 12 initiate action to set dispositional review hearings for the
32 13 placements identified. In such a dispositional review
32 14 hearing, the juvenile court shall determine whether needed
32 15 aftercare services are available and whether termination of
32 16 the placement is in the best interest of the child and the
32 17 community.

Requires the group foster care expenditure target to be reviewed under certain conditions and requires review hearings when appropriate.

32 18 5. In accordance with the provisions of section 232.188,
32 19 the department shall continue the child welfare and juvenile
32 20 justice funding initiative during fiscal year 2008=2009. Of
32 21 the moneys subject to the nonreversion clause provided in the
32 22 amendment in this Act to 2006 Iowa Acts, chapter 1184, section

Allocates \$3,605,000 for decategorization services.

DETAIL: This is the same funding as FY 2008 but the funds are derived in FY 2009 from the carryforward of the FY 2007 decategorization funds permitted in this Bill. For FY 2008, there was \$2,605,000 appropriated from the General Fund and \$1,000,000

32 23 17, subsection 4, \$3,605,000 is allocated specifically for
32 24 expenditure for fiscal year 2008=2009 through the
32 25 decategorization service funding pools and governance boards
32 26 established pursuant to section 232.188.

allocated from TANF for this allocation.

32 27 6. A portion of the funds appropriated in this section may
32 28 be used for emergency family assistance to provide other
32 29 resources required for a family participating in a family
32 30 preservation or reunification project or successor project to
32 31 stay together or to be reunified.

Permits a portion of the Child and Family Services appropriation to be used for emergency family assistance under specified conditions.

32 32 7. Notwithstanding section 234.35 or any other provision
32 33 of law to the contrary, state funding for shelter care shall
32 34 be limited to \$7,072,215. The department shall work with the
32 35 coalition for children and family services in Iowa and other
33 1 representatives of shelter care providers to reduce the number
33 2 of guaranteed shelter beds and shift a portion of available
33 3 funding to develop new or expand existing child welfare
33 4 emergency services for children who might otherwise be served
33 5 in shelter care. The child welfare emergency services shall
33 6 be provided by shelter care agencies that currently have a
33 7 contract for shelter care services with the department and may
33 8 include mobile crisis response units for child and family
33 9 crises, in-home supervision services, emergency family foster
33 10 care homes, expanding capacity to provide emergency services
33 11 in other family foster care homes, or provide flexible funding
33 12 for child welfare emergency services based on evidence-based
33 13 practices. Notwithstanding chapter 8A, the department may
33 14 amend existing contracts with shelter care agencies as
33 15 necessary to include child welfare emergency services.

CODE: Places a State funding limitation of \$7,072,215 for shelter care. Requires the DHS and the Coalition for Children and Family Services and other providers to develop emergency services in lieu of shelter care.

DETAIL: This is a new provision for FY 2009. For FY 2008, funding was provided for a specific number of shelter care beds whether the beds were utilized or not.

33 16 8. Federal funds received by the state during the fiscal
33 17 year beginning July 1, 2008, as the result of the expenditure
33 18 of state funds appropriated during a previous state fiscal
33 19 year for a service or activity funded under this section are

CODE: Requires that federal funds received in FY 2009 for the expenditure of State funds in a previous fiscal year to be used for child welfare services. Requires nonreversion of funds into FY 2010.

33 20 appropriated to the department to be used as additional
33 21 funding for services and purposes provided for under this
33 22 section. Notwithstanding section 8.33, moneys received in
33 23 accordance with this subsection that remain unencumbered or
33 24 unobligated at the close of the fiscal year shall not revert
33 25 to any fund but shall remain available for the purposes
33 26 designated until the close of the succeeding fiscal year.

33 27 9. Of the funds appropriated in this section, at least
33 28 \$3,696,285 shall be used for protective child care assistance.

Requires \$3,696,285 to be used for protective child care assistance.

DETAIL: Maintains current allocation level.

33 29 10. a. Of the funds appropriated in this section, up to
33 30 \$2,268,963 is allocated for the payment of the expenses of
33 31 court=ordered services provided to juveniles who are under the
33 32 supervision of juvenile court services, which expenses are a
33 33 charge upon the state pursuant to section 232.141, subsection
33 34 4. Of the amount allocated in this lettered paragraph, up to
33 35 \$1,556,287 shall be made available to provide school=based
34 1 supervision of children adjudicated under chapter 232, of
34 2 which not more than \$15,000 may be used for the purpose of
34 3 training. A portion of the cost of each school=based liaison
34 4 officer shall be paid by the school district or other funding
34 5 source as approved by the chief juvenile court officer.

34 6 b. Of the funds appropriated in this section, up to
34 7 \$823,965 is allocated for the payment of the expenses of
34 8 court=ordered services provided to children who are under the
34 9 supervision of the department, which expenses are a charge
34 10 upon the state pursuant to section 232.141, subsection 4.

Provides the following allocations related to court-ordered services for juveniles:

- Allocates up to \$2,268,963 for court-ordered services provided to children that are under the supervision of juvenile court services.
- Allocates \$1,556,287 for school-based supervision of delinquent children, limits training funds to \$15,000, and requires a portion of the cost for school-based liaisons to be paid by school districts.
- Allocates \$823,965 for court-ordered services provided to children that are under the supervision of the Department of Human Services.

34 11 c. Notwithstanding section 232.141 or any other provision
34 12 of law to the contrary, the amounts allocated in this
34 13 subsection shall be distributed to the judicial districts as
34 14 determined by the state court administrator and to the
34 15 department's service areas as determined by the administrator
34 16 of the department's division of child and family services.

CODE: Requires allocations to the DHS districts to be made according to a formula determined by the State Court Administrator by June 15, 2008.

34 17 The state court administrator and the division administrator
34 18 shall make the determination of the distribution amounts on or
34 19 before June 15, 2008.

34 20 d. Notwithstanding chapter 232 or any other provision of
34 21 law to the contrary, a district or juvenile court shall not
34 22 order any service which is a charge upon the state pursuant to
34 23 section 232.141 if there are insufficient court-ordered
34 24 services funds available in the district court or departmental
34 25 service area distribution amounts to pay for the service. The
34 26 chief juvenile court officer and the departmental service area
34 27 manager shall encourage use of the funds allocated in this
34 28 subsection such that there are sufficient funds to pay for all
34 29 court-related services during the entire year. The chief
34 30 juvenile court officers and departmental service area managers
34 31 shall attempt to anticipate potential surpluses and shortfalls
34 32 in the distribution amounts and shall cooperatively request
34 33 the state court administrator or division administrator to
34 34 transfer funds between the judicial districts' or departmental
34 35 service areas' distribution amounts as prudent.

CODE: Prohibits a court from ordering any service that is a charge to the State if there are insufficient funds to reimburse the service. Requires the Chief Juvenile Court Officer to use the funds in a manner that will cover the entire fiscal year and permits funds to be transferred between districts.

35 1 e. Notwithstanding any provision of law to the contrary, a
35 2 district or juvenile court shall not order a county to pay for
35 3 any service provided to a juvenile pursuant to an order
35 4 entered under chapter 232 which is a charge upon the state
35 5 under section 232.141, subsection 4.

CODE: Prohibits a district or juvenile court from ordering a county to pay for a service provided to a juvenile that is a charge to the State.

35 6 f. Of the funds allocated in this subsection, not more
35 7 than \$100,000 may be used by the judicial branch for
35 8 administration of the requirements under this subsection.

Specifies that not more than \$100,000 may be used by the Judicial Branch for administration related to court-ordered services.

35 9 11. Of the funds appropriated in this section, \$1,030,000
35 10 shall be transferred to the department of public health to be
35 11 used for the child protection center grant program in
35 12 accordance with section 135.118.

Requires an allocation of \$1,030,000 to be transferred to the Department of Public Health for a Child Protection Center Grant Program.

DETAIL: Maintains current level of funding.

35 13 12. If the department receives federal approval to
 35 14 implement a waiver under Title IV=E of the federal Social
 35 15 Security Act to enable providers to serve children who remain
 35 16 in the children's families and communities, for purposes of
 35 17 eligibility under the medical assistance program children who
 35 18 participate in the waiver shall be considered to be placed in
 35 19 foster care.

Requires children that receive in-home or community-based services under a federal Title IV-E waiver to be considered as placed in foster care in order to remain eligible for Medicaid, if the DHS receives federal approval to implement the waiver.

35 20 13. Of the funds appropriated in this section, \$2,862,164
 35 21 is allocated for the preparation for adult living program
 35 22 pursuant to section 234.46.

Allocates \$2,862,164 for the Preparation for Adult Living Services (PALS) Program.

DETAIL: This is a decrease of \$210,000 compared to the FY 2008 allocation to reflect the one-time FY 2008 transfer to the Mental Health Risk Pool.

35 23 14. Of the funds appropriated in this section, \$1,030,000
 35 24 shall be used for juvenile drug courts. The amount allocated
 35 25 in this subsection shall be distributed as follows:

35 26 a. To the judicial branch for salaries to assist with the
 35 27 operation of juvenile drug court programs operated in the
 35 28 following jurisdictions:

35 29 (1) Marshall county:

35 30 \$ 61,800

35 31 (2) Woodbury county:

35 32 \$ 123,862

35 33 (3) Polk county:

35 34 \$ 193,057

35 35 (4) The third judicial district:

36 1 \$ 66,950

36 2 (5) The eighth judicial district:

36 3 \$ 66,950

36 4 b. For court-ordered services to support substance abuse

Allocates a total of \$1,030,000 for juvenile drug courts. Of this amount, a total of \$512,619 is allocated for Judicial Branch staff costs, and \$517,381 is allocated for juvenile drug court services for juveniles and their families.

DETAIL: This is an increase of \$200,000 compared to estimated FY 2008 to replace one-time FY 2007 carryforward funds.

36 5 services provided to the juveniles participating in the
36 6 juvenile drug court programs listed in paragraph "a" and the
36 7 juveniles' families:
36 8 \$ 517,381
36 9 The state court administrator shall allocate the funding
36 10 designated in this paragraph among the programs.

36 11 15. Of the funds appropriated in this section, \$203,000 is
36 12 allocated for continuation of the contracts for the
36 13 multidimensional treatment level foster care program
36 14 established pursuant to 2006 Iowa Acts, chapter 1123, for a
36 15 third year.

Allocates \$203,000 for the Multi-Dimensional Foster Care Treatment Level Program. Requires the DHS to continue the third year of the three-year pilot Program with the same contractors.

DETAIL: This is no change in funding compared to the FY 2008 allocation.

36 16 16. Of the funds appropriated in this section, \$236,900
36 17 shall be used for a grant to a nonprofit human services
36 18 organization providing services to individuals and families in
36 19 multiple locations in southwest Iowa and Nebraska for support
36 20 of a project providing immediate, sensitive support and
36 21 forensic interviews, medical exams, needs assessments, and
36 22 referrals for victims of child abuse and their nonoffending
36 23 family members.

Requires an allocation of \$236,900 for Project Harmony.

DETAIL: This is no change in funding compared to the FY 2008 allocation.

36 24 17. Of the funds appropriated in this section, \$131,000 is
36 25 allocated for the elevate approach of providing a support
36 26 network to children placed in foster care.

Requires an allocation of \$131,000 to provide support for chapters for the Elevate support group for foster care children.

DETAIL: This is an increase of \$11,000 compared to the FY 2008 allocation.

36 27 18. Of the funds appropriated in this section, \$300,000 is
36 28 allocated for sibling visitation provisions for children
36 29 subject to a court order for out-of-home placement in
36 30 accordance with section 232.108.

Requires an allocation of \$300,000 to implement mandatory sibling visitation for children in foster care.

DETAIL: Maintains the current allocation level.

36 31 19. Of the funds appropriated in this section, \$200,000 is

Allocates \$200,000 for an initiative to address child sexual abuse.

36 32 allocated for use pursuant to section 235A.1 for the
36 33 initiative to address child sexual abuse implemented pursuant
36 34 to 2007 Iowa Acts, ch. 218, section 18, subsection 21.

DETAIL: Maintains the current allocation level.

36 35 20. Of the funds appropriated in this section, \$80,000 is
37 1 allocated for renewal of a grant to a county with a population
37 2 between 189,000 and 196,000 in the latest preceding certified
37 3 federal census for implementation of the county's runaway
37 4 treatment plan under section 232.195.

Allocates \$80,000 for a Linn County Juvenile Runaway Program.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 and previous years, this was funded from the Juvenile Detention Fund.

37 5 21. Of the funds appropriated in this section, \$418,000 is
37 6 allocated for the community partnership for child protection
37 7 sites.

Allocates \$418,000 for the child welfare Community Partnership for Child Protection sites.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 and previous years, this was funded from the Juvenile Detention Fund.

37 8 22. Of the funds appropriated in this section, \$375,000 is
37 9 allocated for the department's minority youth and family
37 10 projects under the redesign of the child welfare system.

Allocates \$375,000 for minority youth and family projects within child welfare redesign.

DETAIL: This is a new General Fund allocation for FY 2009. In FY 2008 this was funded from the Juvenile Detention Fund.

37 11 23. Of the funds appropriated in this section, \$300,000 is
37 12 allocated for funding of the state match for the federal
37 13 substance abuse and mental health services administration
37 14 (SAMHSA) system of care grant.

Allocates \$300,000 for the State match for the federal Substance Abuse and Mental Health Services Administration system of care grant.

DETAIL: This is a new General Fund allocation in FY 2009. In FY 2008 and FY 2007, this was funded from the Juvenile Detention Fund. For FY 2008, the original allocation from that Fund was \$400,000 and is reduced in this Bill to \$300,000.

37 15 24. The department shall develop options for providing a
37 16 growth mechanism for reimbursement of the child and family
37 17 services traditionally funded under this appropriation. The

Requires the DHS to develop a proposed funding growth mechanism for child welfare services.

37 18 growth mechanism options may provide for a tie to allowable
 37 19 growth for school aid, an inflationary adjustment reflective
 37 20 of the cost increases for the services, or other reasonable
 37 21 proxy for the cost increases affecting such service providers.

37 22 Sec. 17. ADOPTION SUBSIDY.

37 23 1. There is appropriated from the general fund of the
 37 24 state to the department of human services for the fiscal year
 37 25 beginning July 1, 2008, and ending June 30, 2009, the
 37 26 following amount, or so much thereof as is necessary, to be
 37 27 used for the purpose designated:

37 28 For adoption subsidy payments and services:

37 29 \$ 32,568,872

General Fund appropriation to the DHS for the Adoption Subsidy Program.

DETAIL: This is an increase of \$596,191 compared to the estimated FY 2008 appropriation. The increase includes:

- An increase of \$2,000,000 to replace one-time FY 2008 carryforward funding.
- A decrease of \$1,459,309 to reflect the transfer to the Child and Family Services budget unit.
- An increase of \$378,371 for the increases in the USDA average costs to raise a child.
- A decrease of \$322,871 for the change to the Federal Medical Assistance Percentage (FMAP) rate.

37 30 2. The department may transfer funds appropriated in this
 37 31 section to the appropriation made in this Act for general
 37 32 administration for costs paid from the appropriation relating
 37 33 to adoption subsidy.

Permits the DHS to transfer funds for adoption recruitment and services.

37 34 3. Federal funds received by the state during the fiscal
 37 35 year beginning July 1, 2008, as the result of the expenditure
 38 1 of state funds during a previous state fiscal year for a
 38 2 service or activity funded under this section are appropriated
 38 3 to the department to be used as additional funding for the
 38 4 services and activities funded under this section.
 38 5 Notwithstanding section 8.33, moneys received in accordance
 38 6 with this subsection that remain unencumbered or unobligated
 38 7 at the close of the fiscal year shall not revert to any fund
 38 8 but shall remain available for expenditure for the purposes
 38 9 designated until the close of the succeeding fiscal year.

CODE: Requires federal funds received in FY 2009 for the expenditure of State funds in a previous fiscal year to be used for Adoption Subsidy. Requires nonreversion of funds in this Subsection until the close of FY 2009.

38 10 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited
 38 11 in the juvenile detention home fund created in section 232.142
 38 12 during the fiscal year beginning July 1, 2008, and ending June
 38 13 30, 2009, are appropriated to the department of human services
 38 14 for the fiscal year beginning July 1, 2008, and ending June
 38 15 30, 2009, for distribution of an amount equal to a percentage
 38 16 of the costs of the establishment, improvement, operation, and
 38 17 maintenance of county or multicounty juvenile detention homes
 38 18 in the fiscal year beginning July 1, 2007. Moneys
 38 19 appropriated for distribution in accordance with this section
 38 20 shall be allocated among eligible detention homes, prorated on
 38 21 the basis of an eligible detention home's proportion of the
 38 22 costs of all eligible detention homes in the fiscal year
 38 23 beginning July 1, 2007. The percentage figure shall be
 38 24 determined by the department based on the amount available for
 38 25 distribution for the fund. Notwithstanding section 232.142,
 38 26 subsection 3, the financial aid payable by the state under
 38 27 that provision for the fiscal year beginning July 1, 2008,
 38 28 shall be limited to the amount appropriated for the purposes
 38 29 of this section.

CODE: Requires funds deposited in the Juvenile Detention Home Fund to be distributed to the Juvenile Detention Centers.

DETAIL: It is estimated that the fines that are deposited into the Fund will be \$3,734,068 in FY 2009. Using the estimated FY 2008 budgets of the Juvenile Detention Centers, these revenues are expected to provide 17.38% of the planned expenditures of the Centers. This percentage may increase if the FY 2008 actual expenditures are less than the budgeted amounts of the Centers or if FY 2009 revenues are greater than estimated.

38 30 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM.
 38 31 1. There is appropriated from the general fund of the
 38 32 state to the department of human services for the fiscal year
 38 33 beginning July 1, 2008, and ending June 30, 2009, the
 38 34 following amount, or so much thereof as is necessary, to be
 38 35 used for the purpose designated:
 39 1 For the family support subsidy program:
 39 2 \$ 1,936,434

General Fund appropriation for the Family Support Program.

DETAIL: Maintains current level of General Fund support.

39 3 2. The department shall use at least \$433,212 of the
 39 4 moneys appropriated in this section for the family support
 39 5 center component of the comprehensive family support program
 39 6 under section 225C.47. Not more than \$20,000 of the amount
 39 7 allocated in this subsection shall be used for administrative
 39 8 costs.

Requires an allocation of \$433,312 from the Family Support Subsidy appropriation to continue the Children-at-Home Program in current counties. Also, permits the DHS to expand the Program to additional counties if funds are available, and limits administrative funding to \$20,000.

DETAIL: This is an increase of \$100,000 compared to the FY 2008 allocation.

39 9 Sec. 20. CONNER DECREE. There is appropriated from the
 39 10 general fund of the state to the department of human services
 39 11 for the fiscal year beginning July 1, 2008, and ending June
 39 12 30, 2009, the following amount, or so much thereof as is
 39 13 necessary, to be used for the purpose designated:
 39 14 For building community capacity through the coordination
 39 15 and provision of training opportunities in accordance with the
 39 16 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.
 39 17 Iowa, July 14, 1994):
 39 18 \$ 42,623

General Fund appropriation to the DHS for Conner Decree training requirements.

DETAIL: Maintains current level of General Fund support. The funds are used for training purposes to comply with the Conner v. Branstad court decision mandating placement of persons in the least restrictive setting.

39 19 Sec. 21. MENTAL HEALTH INSTITUTES. There is appropriated
 39 20 from the general fund of the state to the department of human
 39 21 services for the fiscal year beginning July 1, 2008, and
 39 22 ending June 30, 2009, the following amounts, or so much
 39 23 thereof as is necessary, to be used for the purposes
 39 24 designated:

39 25 1. For the state mental health institute at Cherokee for
 39 26 salaries, support, maintenance, and miscellaneous purposes,
 39 27 and for not more than the following full-time equivalent
 39 28 positions:
 39 29 \$ 5,727,743
 39 30 FTEs 210.00

General Fund appropriation to the Mental Health Institute at Cherokee.

DETAIL: Maintains current level of General Fund support and a decrease of 4.50 FTE positions.

39 31 2. For the state mental health institute at Clarinda for
 39 32 salaries, support, maintenance, and miscellaneous purposes,
 39 33 and for not more than the following full-time equivalent
 39 34 positions:
 39 35 \$ 7,023,073
 40 1 FTEs 109.95

General Fund appropriation to the Mental Health Institute at Clarinda.

DETAIL: Maintains current level of General Fund support and FTE positions.

40 2 3. For the state mental health institute at Independence
 40 3 for salaries, support, maintenance, and miscellaneous
 40 4 purposes, and for not more than the following full-time
 40 5 equivalent positions:
 40 6 \$ 10,495,879
 40 7 FTEs 287.66

General Fund appropriation to the Mental Health Institute at Independence.

DETAIL: This is an increase of \$6,155 to reflect the appropriate FMAP rate and no change in FTE positions.

40 8 4. For the state mental health institute at Mount Pleasant
 40 9 for salaries, support, maintenance, and miscellaneous
 40 10 purposes, and for not more than the following full-time
 40 11 equivalent positions:
 40 12 \$ 1,874,721
 40 13 FTEs 116.44

General Fund appropriation to the Mental Health Institute at Mount Pleasant.

DETAIL: This is a decrease of \$2,378 to reflect the appropriate FMAP rate and no change in FTE positions.

40 14 Sec. 22. STATE RESOURCE CENTERS.
 40 15 1. There is appropriated from the general fund of the
 40 16 state to the department of human services for the fiscal year
 40 17 beginning July 1, 2008, and ending June 30, 2009, the
 40 18 following amounts, or so much thereof as is necessary, to be
 40 19 used for the purposes designated:

40 20 a. For the state resource center at Glenwood for salaries,
 40 21 support, maintenance, and miscellaneous purposes:
 40 22 \$ 17,102,330

General Fund appropriation to the State Resource Center at Glenwood.

DETAIL: This is a decrease of \$1,900,047 and no change in FTE positions compared to the FY 2008 appropriation. Major increases and decreases include:

- A decrease of \$171,308 to reflect the appropriate FMAP rate.
- A decrease of \$1,893,008 to reconcile salary adjustment.
- An increase of \$164,269 to replace revenues for the loss of two homes.

The FTE positions are not capped in the Bill. The tracking document attached to this NOBA estimates the number of FTE positions.

40 23 b. For the state resource center at Woodward for salaries,
 40 24 support, maintenance, and miscellaneous purposes:
 40 25 \$ 11,266,164

General Fund appropriation to the State Resource Center at Woodward.

DETAIL: This is a decrease of \$1,772,669 and no change in FTE positions compared to the FY 2008 appropriation. Major increases and decreases include:

- A decrease of \$122,545 to reflect the appropriate FMAP rate.
- A decrease of \$1,823,770 to reconcile salary adjustment.
- An increase of \$173,646 to replace revenues for the loss of two homes.

The FTE positions are not capped in the Bill. The tracking document attached to this NOBA estimates the number of FTE positions.

40 26 2. The department may continue to bill for state resource
 40 27 center services utilizing a scope of services approach used
 40 28 for private providers of ICFMR services, in a manner which
 40 29 does not shift costs between the medical assistance program,
 40 30 counties, or other sources of funding for the state resource
 40 31 centers.

Permits the DHS to continue billing practices that do not include cost shifting.

40 32 3. The state resource centers may expand the time=limited
 40 33 assessment and respite services during the fiscal year.

Permits the State Resource Centers to expand time-limited assessment and respite services.

DETAIL: Time-limited assessments include analysis of patients' conditions and development of therapy plans to assist families in caring for individuals with mental retardation or developmental disabilities. Respite services provide care for special needs individuals for a limited duration to provide families with a temporary reprieve from caretaking responsibilities.

40 34 4. If the department's administration and the department
 40 35 of management concur with a finding by a state resource
 41 1 center's superintendent that projected revenues can reasonably
 41 2 be expected to pay the salary and support costs for a new

Specifies that additional positions at the two State Resource Centers may be added under certain projections.

41 3 employee position, or that such costs for adding a particular
 41 4 number of new positions for the fiscal year would be less than
 41 5 the overtime costs if new positions would not be added, the
 41 6 superintendent may add the new position or positions. If the
 41 7 vacant positions available to a resource center do not include
 41 8 the position classification desired to be filled, the state
 41 9 resource center's superintendent may reclassify any vacant
 41 10 position as necessary to fill the desired position. The
 41 11 superintendents of the state resource centers may, by mutual
 41 12 agreement, pool vacant positions and position classifications
 41 13 during the course of the fiscal year in order to assist one
 41 14 another in filling necessary positions.

41 15 5. If existing capacity limitations are reached in
 41 16 operating units, a waiting list is in effect for a service or
 41 17 a special need for which a payment source or other funding is
 41 18 available for the service or to address the special need, and
 41 19 facilities for the service or to address the special need can
 41 20 be provided within the available payment source or other
 41 21 funding, the superintendent of a state resource center may
 41 22 authorize opening not more than two units or other facilities
 41 23 and begin implementing the service or addressing the special
 41 24 need during fiscal year 2008=2009.

Permits a State Resource Center to open certain facilities if a service waiting list exists and funding is available.

41 25 Sec. 23. MI/MR/DD STATE CASES.
 41 26 1. There is appropriated from the general fund of the
 41 27 state to the department of human services for the fiscal year
 41 28 beginning July 1, 2008, and ending June 30, 2009, the
 41 29 following amount, or so much thereof as is necessary, to be
 41 30 used for the purpose designated:
 41 31 For distribution to counties for state case services for
 41 32 persons with mental illness, mental retardation, and
 41 33 developmental disabilities in accordance with section 331.440:
 41 34 \$ 13,067,178

General Fund appropriation to the DHS for State Cases.

DETAIL: This is an increase of \$2,000,000 compared to the FY 2008 appropriation for the replacement of carryforward from FY 2007.

41 35 2. For the fiscal year beginning July 1, 2008, and ending

Requires \$200,000 from the Community Mental Health Services Block

42 1 June 30, 2009, \$200,000 is allocated for state case services
 42 2 from the amounts appropriated from the fund created in section
 42 3 8.41 to the department of human services from the funds
 42 4 received from the federal government under 42 U.S.C., ch. 6A,
 42 5 subch. XVII, relating to the community mental health center
 42 6 block grant, for the federal fiscal years beginning October 1,
 42 7 2006, and ending September 30, 2007, beginning October 1,
 42 8 2007, and ending September 30, 2008, and beginning October 1,
 42 9 2008, and ending September 30, 2009. The allocation made in
 42 10 this subsection shall be made prior to any other distribution
 42 11 allocation of the appropriated federal funds.

Grant funds from FFY 2007, FFY 2008, or FFY 2009 to be used for the State Cases costs.

42 12 3. Notwithstanding section 8.33, moneys appropriated in
 42 13 this section that remain unencumbered or unobligated at the
 42 14 close of the fiscal year shall not revert but shall remain
 42 15 available for expenditure for the purposes designated until
 42 16 the close of the succeeding fiscal year.

CODE: Requires nonreversion of funds appropriated for State Cases.

42 17 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==
 42 18 COMMUNITY SERVICES FUND. There is appropriated from the
 42 19 general fund of the state to the mental health and
 42 20 developmental disabilities community services fund created in
 42 21 section 225C.7 for the fiscal year beginning July 1, 2008, and
 42 22 ending June 30, 2009, the following amount, or so much thereof
 42 23 as is necessary, to be used for the purpose designated:
 42 24 For mental health and developmental disabilities community
 42 25 services in accordance with this division of this Act:
 42 26 \$ 18,017,890

General Fund appropriation for the Mental Health Community Services Fund.

DETAIL: Maintains current level of General Fund support.

42 27 1. Of the funds appropriated in this section, \$17,727,890
 42 28 shall be allocated to counties for funding of community-based
 42 29 mental health and developmental disabilities services. The
 42 30 moneys shall be allocated to a county as follows:

Allocates \$17,727,890 from the Community Services appropriation to counties based on a formula considering the county's population and federal poverty guidelines.

42 31 a. Fifty percent based upon the county's proportion of the

Requires the funds to be used for services to persons with mental

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| 42 32 state's population of persons with an annual income which is 42 33 equal to or less than the poverty guideline established by the 42 34 federal office of management and budget. 42 35 b. Fifty percent based upon the county's proportion of the 43 1 state's general population. 43 2 2. a. A county shall utilize the funding the county 43 3 receives pursuant to subsection 1 for services provided to 43 4 persons with a disability, as defined in section 225C.2. 43 5 However, no more than 50 percent of the funding shall be used 43 6 for services provided to any one of the service populations. 43 7 b. A county shall use at least 50 percent of the funding 43 8 the county receives under subsection 1 for contemporary 43 9 services provided to persons with a disability, as described 43 10 in rules adopted by the department. | illness, mental retardation, developmental disabilities, and brain injuries. Specifies that no more than 50.00% may be used for any one of these populations. Requires counties to use at least 50.00% of the funding received on contemporary services. |
| 43 11 3. Of the funds appropriated in this section, \$30,000 43 12 shall be used to support the Iowa compass program providing 43 13 computerized information and referral services for lowans with 43 14 disabilities and their families. | Allocates \$30,000 to support the Iowa Compass Program. The Program provides computerized information and referral services for lowans with developmental disabilities and their families. DETAIL: Maintains current level of General Fund support. |
| 43 15 4. a. Funding appropriated for purposes of the federal 43 16 social services block grant is allocated for distribution to 43 17 counties for local purchase of services for persons with 43 18 mental illness or mental retardation or other developmental 43 19 disability. | Allocates federal funds appropriated in SF 2286 (FFY 2009 Block Grant and Federal Funds Appropriations Bill) from the Social Services Block Grant for distribution to counties for local purchase of services for persons with mental illness, mental retardation, and developmental disabilities. |
| 43 20 b. The funds allocated in this subsection shall be 43 21 expended by counties in accordance with the county's approved 43 22 county management plan. A county without an approved county 43 23 management plan shall not receive allocated funds until the 43 24 county's management plan is approved. | Requires counties to expend Social Services Block Grant funds according to approved county management plans. Prohibits a county from receiving an allocation of Social Services Block Grant funds until the county's plan is approved. |
| 43 25 c. The funds provided by this subsection shall be 43 26 allocated to each county as follows: | Requires the funds provided in this Subsection to be allocated to each county according to a specified formula. |

43 27 (1) Fifty percent based upon the county's proportion of
 43 28 the state's population of persons with an annual income which
 43 29 is equal to or less than the poverty guideline established by
 43 30 the federal office of management and budget.

DETAIL: The formula remains unchanged from the FY 1997 formula.

43 31 (2) Fifty percent based upon the amount provided to the
 43 32 county for local purchase of services in the preceding fiscal
 43 33 year.

43 34 5. A county is eligible for funds under this section if
 43 35 the county qualifies for a state payment as described in
 44 1 section 331.439.

Specifies that a county is eligible for State funding through the Community Mental Health Services Fund if it meets the requirements for receiving Property Tax Relief funds and Allowed Growth funds.

44 2 6. Of the funds appropriated in this section, \$260,000 is
 44 3 allocated to the department for continuing the development of
 44 4 an assessment process for use beginning in a subsequent fiscal
 44 5 year as authorized specifically by a statute to be enacted in
 44 6 a subsequent fiscal year, determining on a consistent basis
 44 7 the needs and capacities of persons seeking or receiving
 44 8 mental health, mental retardation, developmental disabilities,
 44 9 or brain injury services that are paid for in whole or in part
 44 10 by the state or a county. The assessment process shall be
 44 11 developed with the involvement of counties and the mental
 44 12 health, mental retardation, developmental disabilities, and
 44 13 brain injury commission.

Allocates \$260,000 for the DHS to continue development of an assessment process for those receiving services paid from the Community Services Fund.

DETAIL: This is no change from the FY 2008 allocation.

44 14 7. The most recent population estimates issued by the
 44 15 United States bureau of the census shall be applied for the
 44 16 population factors utilized in this section.

Requires the Department to utilize the most recent population estimates for the distribution of these funds.

44 17 Sec. 25. SEXUALLY VIOLENT PREDATORS.

General Fund appropriation to the DHS for the Sexual Predator Commitment Program.

44 18 1. There is appropriated from the general fund of the
 44 19 state to the department of human services for the fiscal year
 44 20 beginning July 1, 2008, and ending June 30, 2009, the
 44 21 following amount, or so much thereof as is necessary, to be
 44 22 used for the purpose designated:

DETAIL: This is a decrease of \$31,516 for an adjustment in per diem at the Cherokee MHI and a decrease of 0.65 FTE position.

44 23 For costs associated with the commitment and treatment of
 44 24 sexually violent predators in the unit located at the state
 44 25 mental health institute at Cherokee, including costs of legal
 44 26 services and other associated costs, including salaries,
 44 27 support, maintenance, and miscellaneous purposes, and for not
 44 28 more than the following full-time equivalent positions:
 44 29 \$ 6,492,008
 44 30 FTEs 94.50

44 31 2. Unless specifically prohibited by law, if the amount
 44 32 charged provides for recoupment of at least the entire amount
 44 33 of direct and indirect costs, the department of human services
 44 34 may contract with other states to provide care and treatment
 44 35 of persons placed by the other states at the unit for sexually
 45 1 violent predators at Cherokee. The moneys received under such
 45 2 a contract shall be considered to be repayment receipts and
 45 3 used for the purposes of the appropriation made in this
 45 4 section.

45 5 Sec. 26. FIELD OPERATIONS. There is appropriated from the
 45 6 general fund of the state to the department of human services
 45 7 for the fiscal year beginning July 1, 2008, and ending June
 45 8 30, 2009, the following amount, or so much thereof as is
 45 9 necessary, to be used for the purposes designated:
 45 10 For field operations, including salaries, support,
 45 11 maintenance, and miscellaneous purposes, and for not more than
 45 12 the following full-time equivalent positions:
 45 13 \$ 66,852,732
 45 14 FTEs 2,130.68

45 15 Priority in filling full-time equivalent positions shall be
 45 16 given to those positions related to child protection services
 45 17 and eligibility determination for low-income families.

Permits the Unit for Commitment of Sexually Violent Predators to accept out-of-state clients when the entire cost is reimbursed.

General Fund appropriation to the DHS for Field Operations staff and support.

DETAIL: This is an increase of \$297,645 and 83.97 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$1,078,207 to restore various carryforwards from FY 2007.
- An increase of \$385,674 to restore the one-time FY 2007 transfer to the Children's Mental Health waiver waiting list.
- A decrease of \$1,166,236 for FY 2008 funds carried forward to FY 2009.
- An increase of 83.97 FTEs to reflect expected utilization.

Requires that priority be given to child protection services and eligibility determinations when filling FTE positions.

DETAIL: This requirement was in place for FY 2008 for child protection services. The eligibility determination position priorities is new for FY 2009.

45 18 Sec. 27. GENERAL ADMINISTRATION. There is appropriated
 45 19 from the general fund of the state to the department of human
 45 20 services for the fiscal year beginning July 1, 2008, and
 45 21 ending June 30, 2009, the following amount, or so much thereof
 45 22 as is necessary, to be used for the purpose designated:
 45 23 For general administration, including salaries, support,
 45 24 maintenance, and miscellaneous purposes, and for not more than
 45 25 the following full-time equivalent positions:
 45 26 \$ 16,682,067
 45 27 FTEs 407.50

General Fund appropriation to the DHS for General Administration.

DETAIL: This is a decrease of \$100,639 and an increase of 54.50 FTE positions compared to the estimated FY 2008 appropriation. This includes:

- An increase of \$107,260 for technology funds transferred from other budget units.
- A decrease of \$100,000 for a transfer to the Department of Human Rights that was item vetoed in FY 2008.
- A decrease of \$107,899 for funds to carryforward from FY 2008 to FY 2009.
- An increase of 49.50 FTE positions to reflect expected utilization.
- An increase of 5.00 FTE positions due to the transfer of FTE positions from the funding provided from the Senior Living Trust Fund.

45 28 1. Of the funds appropriated in this section, \$57,000 is
 45 29 allocated for the prevention of disabilities policy council
 45 30 established in section 225B.3.

Allocates \$57,000 to the Prevention of Disabilities Policy Council.

DETAIL: Maintains current level of General Fund support.

45 31 2. The department shall report at least monthly to the
 45 32 legislative services agency concerning the department's
 45 33 operational and program expenditures.

Requires the DHS to submit monthly expenditure reports to the LSA.

DETAIL: This is a new requirement for FY 2009.

45 34 Sec. 28. VOLUNTEERS. There is appropriated from the
 45 35 general fund of the state to the department of human services
 46 1 for the fiscal year beginning July 1, 2008, and ending June
 46 2 30, 2009, the following amount, or so much thereof as is
 46 3 necessary, to be used for the purpose designated:
 46 4 For development and coordination of volunteer services:

General Fund appropriation to the DHS for the development and coordination of the Volunteer Services Program.

DETAIL: Maintains current level of General Fund funding.

46 5 \$ 109,568

46 6 Sec. 29. FAMILY PLANNING SERVICES. There is appropriated
46 7 from the general fund of the state to the department of human
46 8 services for the fiscal year beginning July 1, 2008, and
46 9 ending June 30, 2009, the following amount or so much thereof
46 10 as is necessary, to be used for the purpose designated:

46 11 For family planning services to individuals with incomes
46 12 not to exceed two hundred percent of the federal poverty level
46 13 as defined by the most recently revised income guidelines
46 14 published by the United States department of health and human
46 15 services, who are not currently receiving the specific benefit
46 16 under the medical assistance program:
46 17 \$ 750,000

46 18 Moneys appropriated under this section shall not be used to
46 19 provide abortions. The department shall work with appropriate
46 20 stakeholders to implement and administer the program.

46 21 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
46 22 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER
THE
46 23 DEPARTMENT OF HUMAN SERVICES.

46 24 1. a. (1) For the fiscal year beginning July 1, 2008,
46 25 the total state funding amount for the nursing facility budget
46 26 shall not exceed \$183,367,323.
46 27 (2) For the state fiscal year beginning July 1, 2008, the
46 28 patient=day weighted medians used in rate setting for nursing
46 29 facilities shall be recalculated and the rates adjusted to
46 30 provide an increase in nursing facility rates by applying the
46 31 skilled nursing facility market basket inflation factor from
46 32 the mid=point of the cost report to July 1, 2007.
46 33 (3) The department, in cooperation with nursing facility
46 34 representatives, shall review projections for state funding

General Fund appropriation to the DHS for Family Planning Services.

DETAIL: This is a new appropriation for FY 2009. Prohibits serving individuals with incomes that exceed 200.0% of the Federal Poverty Level.

Prohibits the Family Planning funding to be used for abortions.
Requires the DHS to work with stakeholders for implementation of the funding.

Caps nursing facility reimbursements at \$183,367,323 and requires the DHS to adjust the inflation factor in the case-mix reimbursement rate if expenditures exceed the cap. Provides for a market basket inflation factor from the FY 2008 mid-point cost report.

DETAIL: This is a decrease of \$750,000 compared to the FY 2008 cap. The decrease reflects the reduction in the nursing facility accountability payment.

46 35 expenditures for reimbursement of nursing facilities on a
47 1 quarterly basis and the department shall determine if an
47 2 adjustment to the medical assistance reimbursement rate is
47 3 necessary in order to provide reimbursement within the state
47 4 funding amount. Any temporary enhanced federal financial
47 5 participation that may become available to the Iowa medical
47 6 assistance program during the fiscal year shall not be used in
47 7 projecting the nursing facility budget. Notwithstanding 2001
47 8 Iowa Acts, chapter 192, section 4, subsection 2, paragraph
47 9 "c", and subsection 3, paragraph "a", subparagraph (2), if the
47 10 state funding expenditures for the nursing facility budget for
47 11 the fiscal year beginning July 1, 2008, are projected to
47 12 exceed the amount specified in subparagraph (1), the
47 13 department shall adjust the reimbursement for nursing
47 14 facilities reimbursed under the case=mix reimbursement system
47 15 to maintain expenditures of the nursing facility budget within
47 16 the specified amount. The department shall revise such
47 17 reimbursement as necessary to adjust the annual accountability
47 18 measures payment in accordance with the amendment in this
47 19 division of this Act to 2001 Iowa Acts, chapter 192, section
47 20 4, subsection 4.

47 21 b. For the fiscal year beginning July 1, 2008, the
47 22 department shall reimburse pharmacy dispensing fees using a
47 23 single rate of \$4.52 per prescription or the pharmacy's usual
47 24 and customary fee, whichever is lower.

Specifies the reimbursement rate for pharmacist services using a single dispensing fee of \$4.52 per prescription or the usual and customary fee, whichever is lower.

DETAIL: Maintains the FY 2008 reimbursement rate.

47 25 c. (1) For the fiscal year beginning July 1, 2008,
47 26 reimbursement rates for inpatient and outpatient hospital
47 27 services shall remain at the rates in effect on June 30, 2008.
47 28 The department shall continue the outpatient hospital
47 29 reimbursement system based upon ambulatory patient groups
47 30 implemented pursuant to 1994 Iowa Acts, chapter 1186, section
47 31 25, subsection 1, paragraph "f", unless the department adopts
47 32 the Medicare ambulatory payment classification methodology

Requires the rate of reimbursement for inpatient and outpatient hospital services to remain the same as the FY 2008 reimbursement rates, and requires continuation of the outpatient reimbursement system utilizing Ambulatory Patient Groups implemented in FY 1995. Requires the DHS to continue the revised payment policy relating to screening and treatment provided in hospital emergency waiting rooms. Specifies that any rebasing of rates will not increase total payments for services.

47 33 authorized in subparagraph (2).
47 34 (2) The department may implement the Medicare ambulatory
47 35 payment classification methodology for reimbursement of
48 1 outpatient hospital services. Any change in hospital
48 2 reimbursement shall be budget neutral.

48 3 (3) In order to ensure the efficient use of limited state
48 4 funds in procuring health care services for low-income lowans,
48 5 funds appropriated in this Act for hospital services shall not
48 6 be used for activities which would be excluded from a
48 7 determination of reasonable costs under the federal Medicare
48 8 program pursuant to 42 U.S.C. 1395X(v)(1)(N).

Requires funds appropriated for hospital activities to be used for activities pursuant to the federal Medicare program.

48 9 d. For the fiscal year beginning July 1, 2008,
48 10 reimbursement rates for rural health clinics, hospices,
48 11 independent laboratories, and acute mental hospitals shall be
48 12 increased in accordance with increases under the federal
48 13 Medicare program or as supported by their Medicare audited
48 14 costs.

Requires rural health clinics, hospice services, and acute mental hospitals to be reimbursed at the rate established under the federal Medicare Program for FY 2009.

48 15 e. (1) For the fiscal year beginning July 1, 2008,
48 16 reimbursement rates for home health agencies shall remain at
48 17 the rates in effect on June 30, 2008, not to exceed a home
48 18 health agency's actual allowable cost.

Requires rates to home health agencies to remain at the rate in effect June 30, 2008.

48 19 (2) The department shall establish a fixed fee
48 20 reimbursement schedule for home health agencies under the
48 21 medical assistance program beginning July 1, 2008.

Requires the DHS to establish a fixed-fee reimbursement schedule for home health services beginning in FY 2009.

48 22 f. For the fiscal year beginning July 1, 2008, federally
48 23 qualified health centers shall receive cost-based
48 24 reimbursement for 100 percent of the reasonable costs for the
48 25 provision of services to recipients of medical assistance.

Requires the DHS to reimburse federally qualified health centers 100.00% of reasonable costs for the provision of services to Medical Assistance Program recipients.

48 26 g. For the fiscal year beginning July 1, 2008, the
48 27 reimbursement rates for dental services shall remain at the
48 28 rates in effect on June 30, 2008.

Requires the FY 2009 reimbursement rates for dental services to remain at the rate in effect June 30, 2008.

48 29 h. For the fiscal year beginning July 1, 2008, the maximum
48 30 reimbursement rate for psychiatric medical institutions for
48 31 children shall be \$160.71 per day.

Sets the FY 2009 reimbursement rate for psychiatric medical institutions for children (PMICs) at \$160.71 per day.

DETAIL: This is a decrease of \$4.82 in the maximum per day rate compared to FY 2008. Additional funds will be available with statutory language in the Bill requiring third party payers to pay for services for certain biologically-based conditions of children.

48 32 i. For the fiscal year beginning July 1, 2008, unless
48 33 otherwise specified in this Act, all noninstitutional medical
48 34 assistance provider reimbursement rates shall remain at the
48 35 rates in effect on June 30, 2008, except for area education
49 1 agencies, local education agencies, infant and toddler
49 2 services providers, and those providers whose rates are
49 3 required to be determined pursuant to section 249A.20.

Requires the FY 2009 reimbursement rates for all non-institutional Medical Assistance providers, with specified exceptions, to remain at the rate in effect June 30, 2008.

49 4 j. Notwithstanding section 249A.20, for the fiscal year
49 5 beginning July 1, 2008, the average reimbursement rate for
49 6 health care providers eligible for use of the federal Medicare
49 7 resource-based relative value scale reimbursement methodology
49 8 under that section shall remain at the rate in effect on June
49 9 30, 2008; however, this rate shall not exceed the maximum
49 10 level authorized by the federal government.

CODE: Requires the FY 2009 rates for health providers eligible for average rate reimbursement to remain at the rate in effect June 30, 2008.

49 11 k. For the fiscal year beginning July 1, 2008, the
49 12 reimbursement rate for residential care facilities shall not
49 13 be less than the minimum payment level as established by the
49 14 federal government to meet the federally mandated maintenance
49 15 of effort requirement. The flat reimbursement rate for
49 16 facilities electing not to file semiannual cost reports shall
49 17 not be less than the minimum payment level as established by

Requires the reimbursement rates for residential care facilities to be no less than the minimum payment level required to meet the federal maintenance of effort requirement.

49 18 the federal government to meet the federally mandated
49 19 maintenance of effort requirement.

49 20 1. For the fiscal year beginning July 1, 2008, inpatient
49 21 mental health services provided at hospitals shall be
49 22 reimbursed at the cost of the services, subject to Medicaid
49 23 program upper payment limit rules; community mental health
49 24 centers and providers of mental health services to county
49 25 residents pursuant to a waiver approved under section 225C.7,
49 26 subsection 3, shall be reimbursed at 100 percent of the
49 27 reasonable costs for the provision of services to recipients
49 28 of medical assistance; and psychiatrists shall be reimbursed
49 29 at the medical assistance program fee for service rate.

Requires the FY 2009 reimbursement rate for inpatient mental health services at hospitals to be set at 100.00% of costs.

49 30 2. For the fiscal year beginning July 1, 2008, the
49 31 reimbursement rate for providers reimbursed under the in=
49 32 home-related care program shall not be less than the minimum
49 33 payment level as established by the federal government to meet
49 34 the federally mandated maintenance of effort requirement.

Establishes the maximum FY 2009 reimbursement rate for in-home health-related care providers at the minimum payment level established by the federal government.

49 35 3. Unless otherwise directed in this section, when the
50 1 department's reimbursement methodology for any provider
50 2 reimbursed in accordance with this section includes an
50 3 inflation factor, this factor shall not exceed the amount by
50 4 which the consumer price index for all urban consumers
50 5 increased during the calendar year ending December 31, 2002.

Specifies that when the required reimbursement methodology for providers under this Section includes an inflation factor, the factor cannot exceed the increase in the Consumer Price Index (CPI) for Urban Consumers for the calendar year ending December 31, 2002.

50 6 4. For the fiscal year beginning July 1, 2008, the foster
50 7 family basic daily maintenance rate paid in accordance with
50 8 section 234.38, the maximum adoption subsidy rate, and the
50 9 maximum supervised apartment living foster care rate for
50 10 children ages 0 through 5 years shall be \$16.36, the rate for
50 11 children ages 6 through 11 years shall be \$17.01, the rate for
50 12 children ages 12 through 15 years shall be \$18.62, and the
50 13 rate for children ages 16 and older shall be \$18.87.

Provides the daily family foster care rates and the maximum adoption subsidy rates for children by age range for FY 2009.

DETAIL: The rates are increased compared to FY 2008 to maintain rates at 65.00% of the United States Department of Agriculture cost to raise a child as set forth in Statute.

50 14 5. For the fiscal year beginning July 1, 2008, the maximum
50 15 reimbursement rates for social services providers reimbursed
50 16 under a purchase of social services contract shall remain at
50 17 the rates in effect on June 30, 2008, or the provider's actual
50 18 and allowable cost plus inflation for each service, whichever
50 19 is less. However, the rates may be adjusted under any of the
50 20 following circumstances:
50 21 a. If a new service was added after June 30, 2008, the
50 22 initial reimbursement rate for the service shall be based upon
50 23 actual and allowable costs.
50 24 b. If a social service provider loses a source of income
50 25 used to determine the reimbursement rate for the provider, the
50 26 provider's reimbursement rate may be adjusted to reflect the
50 27 loss of income, provided that the lost income was used to
50 28 support actual and allowable costs of a service purchased
50 29 under a purchase of service contract.

Requires the maximum reimbursement rates for social service providers, including the Resource Family Recruitment and Retention Contractor, to be the same rate as provided in FY 2009, and provides for circumstances when the rates may be adjusted.

50 30 6. For the fiscal year beginning July 1, 2008, the
50 31 reimbursement rates for family-centered service providers,
50 32 family foster care service providers, group foster care
50 33 service providers, and the resource family recruitment and
50 34 retention contractor shall remain at rates in effect on June
50 35 30, 2008.

Maintains foster care reimbursement rates for specified providers in FY 2009 as was received in FY 2008.

51 1 7. The group foster care reimbursement rates paid for
51 2 placement of children out of state shall be calculated
51 3 according to the same rate-setting principles as those used
51 4 for in-state providers, unless the director of human services
51 5 or the director's designee determines that appropriate care
51 6 cannot be provided within the state. The payment of the daily
51 7 rate shall be based on the number of days in the calendar
51 8 month in which service is provided.

Requires the group foster care reimbursement rates paid for placement of children out of state to be calculated according to the same rate-setting principles as those used for in-state providers, unless the Director of the DHS determines that appropriate care cannot be provided within the State. Also, requires payment of the daily rate to be based on the number of days in the calendar month that service is provided.

51 9 8. For the fiscal year beginning July 1, 2008, remedial
51 10 service providers shall receive cost-based reimbursement for

Requires that the FY 2009 child welfare remedial service providers be reimbursed at 100.0% of the cost-based reimbursement.

51 11 100 percent of the reasonable costs not to exceed the
51 12 established limit for the provision of services to recipients
51 13 of medical assistance.

DETAIL: This is a new reimbursement system based upon changes enacted by the DHS during FY 2008.

51 14 9. a. For the fiscal year beginning July 1, 2008, the
51 15 combined service and maintenance components of the
51 16 reimbursement rate paid for shelter care services purchased
51 17 under a contract shall be based on the financial and
51 18 statistical report submitted to the department. The maximum
51 19 reimbursement rate shall be \$91.45 per day. The department
51 20 shall reimburse a shelter care provider at the provider's
51 21 actual and allowable unit cost, plus inflation, not to exceed
51 22 the maximum reimbursement rate.

Requires the FY 2009 combined service and maintenance components of the reimbursement rate paid to shelter care providers to be based on the cost report submitted to the DHS. Also, requires a maximum reimbursement rate of \$91.45 per day, and requires the DHS to reimburse shelter care providers at the actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

DETAIL: This maintains the rate received in FY 2008.

51 23 b. Notwithstanding section 232.141, subsection 8, for the
51 24 fiscal year beginning July 1, 2008, the amount of the
51 25 statewide average of the actual and allowable rates for
51 26 reimbursement of juvenile shelter care homes that is utilized
51 27 for the limitation on recovery of unpaid costs shall remain at
51 28 the amount in effect for this purpose in the preceding fiscal
51 29 year.

CODE: Maintains the limit of the Statewide average reimbursement rates paid to shelter care providers that was received in FY 2008. This impacts the amount of charges that are reimbursed.

51 30 10. For the fiscal year beginning July 1, 2008, the
51 31 department shall calculate reimbursement rates for
51 32 intermediate care facilities for persons with mental
51 33 retardation at the 80th percentile.

Requires the DHS to calculate reimbursement rates for intermediate care facilities for persons with mental retardation (ICF/MRs) at the 80th percentile for FY 2009.

51 34 11. For the fiscal year beginning July 1, 2008, for child
51 35 care providers reimbursed under the state child care
52 1 assistance program, the department shall set provider
52 2 reimbursement rates based on the rate reimbursement survey
52 3 completed in December 2004. The department shall set rates in
52 4 a manner so as to provide incentives for a nonregistered
52 5 provider to become registered.

Requires the DHS to set FY 2009 provider reimbursement rates for child care providers based on the rate reimbursement survey completed in December 2004. Requires rates to be set in a manner that will provide incentives for non-registered providers to become registered.

52 6 12. For the fiscal year beginning July 1, 2008,
 52 7 reimbursements for providers reimbursed by the department of
 52 8 human services may be modified if appropriated funding is
 52 9 allocated for that purpose from the senior living trust fund
 52 10 created in section 249H.4, or as specified in appropriations
 52 11 from the healthy lowans tobacco trust created in section
 52 12 12.65.

Specifies that FY 2009 reimbursements for providers reimbursed by the DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund or as specified in appropriations from the Healthy lowans Tobacco Trust Fund.

52 13 13. The department may adopt emergency rules to implement
 52 14 this section.

Permits the DHS to adopt emergency rules to implement these reimbursements.

52 15 Sec. 31. 2001 Iowa Acts, chapter 192, section 4,
 52 16 subsection 4, is amended to read as follows:
 52 17 4. ACCOUNTABILITY MEASURES MEASUREMENTS == ANNUAL
 52 18 ACCOUNTABILITY PAYMENTS .
 52 19 a. It is the intent of the general assembly that the
 52 20 department of human services initiate a system to measure a
 52 21 variety of elements to determine a nursing facility's capacity
 52 22 to provide quality of life and appropriate access to medical
 52 23 assistance program beneficiaries in a cost=effective manner.
 52 24 Beginning July 1, 2001, the department shall implement a
 52 25 process to collect data for these measurements and shall
 52 26 develop procedures to increase nursing facility reimbursements
 52 27 based upon a nursing facility's achievement of multiple
 52 28 favorable outcomes as determined by these measurements. Any
 52 29 increased reimbursement shall not exceed 3 percent of the
 52 30 calculation of the modified price=based case=mix reimbursement
 52 31 median. The increased reimbursement shall be included in the
 52 32 calculation of nursing facility modified price=based payment
 52 33 rates beginning July 1, 2002, with the exception of
 52 34 Medicare=certified hospital=based nursing facilities,
 52 35 state=operated nursing facilities, and special population
 53 1 nursing facilities.
 53 2 ~~b. It is the intent of the general assembly that increases~~
 53 3 ~~in payments to nursing facilities under the case=mix adjusted~~
 53 4 ~~component shall be used for the provision of direct care with~~

CODE: Requires nursing facility accountability measure payments to be reduced if a minor deficiency is received during the year and eliminated in some cases for that fiscal year if there is a major deficiency. Eliminates the intent that nursing facilities increase direct care worker compensation from 2001 Session Law.

53 5 an emphasis on compensation to direct care workers. The
53 6 department shall compile and provide a detailed analysis to
53 7 demonstrate growth of direct care costs, increased acuity, and
53 8 care needs of residents. The department shall also provide
53 9 analysis of cost reports submitted by providers and the
53 10 resulting desk review and field audit adjustments to
53 11 reclassify and amend provider cost and statistical data. The
53 12 results of these analyses shall be submitted to the general
53 13 assembly for evaluation to determine payment levels following
53 14 the transition funding period.

53 15 b. Beginning July 1, 2008, notwithstanding any law or rule
53 16 to the contrary, the increased nursing facility reimbursement
53 17 available pursuant to paragraph "a" shall be based upon the
53 18 accountability measures and calculations existing on July 1,
53 19 2008, pursuant to 441 IAC 81.6(16)(g), as adjusted in
53 20 accordance with the following provisions, and the increased
53 21 reimbursement shall be disbursed to each qualifying nursing
53 22 facility as an accountability payment at the end of each
53 23 fiscal year. The department of human services shall request
53 24 any medical assistance state plan amendment necessary to
53 25 implement the modified accountability payment methodology. If
53 26 the department does not receive approval of the state plan
53 27 amendment, the funds designated for the purposes of providing
53 28 the accountability measures payment shall instead be disbursed
53 29 through the case-mix reimbursement system:

53 30 (1) If a nursing facility receives a citation resulting in
53 31 actual harm pursuant to the federal certification guidelines
53 32 at a G level scope and severity or higher, the increased
53 33 reimbursement calculated for payment under this paragraph "b"
53 34 shall be reduced by 25 percent for each such citation during
53 35 the year. Additionally, if a nursing facility fails to cure
54 1 any deficiency cited within the time required by the
54 2 department of inspections and appeals, the increased
54 3 reimbursement calculated for payment under this paragraph
54 4 shall be forfeited and the nursing facility shall not receive
54 5 any accountability measure payment for the year.

54 6 (2) If a nursing facility receives a deficiency resulting
54 7 in actual harm or immediate jeopardy, pursuant to the federal

54 8 certification guidelines at an H level scope and severity or
54 9 higher, regardless of the amount of any fines assessed, the
54 10 increased reimbursement calculated for payment under this
54 11 paragraph "b" shall be forfeited and the nursing facility
54 12 shall not receive any accountability measure payment for the
54 13 year.

54 14 (3) Beginning July 1, 2008, accountability measure
54 15 payments to providers shall be reduced by 20 percent of the
54 16 calculated amount. The percentage reduction shall continue
54 17 until June 30, 2009, or until such time as the general
54 18 assembly adopts a modification of the accountability measures
54 19 system.

54 20 c. It is the intent of the general assembly that the
54 21 department of human services assemble a workgroup to develop
54 22 recommendations to redesign the accountability measures for
54 23 implementation in the fiscal year beginning July 1, 2009. The
54 24 workgroup shall include long-term care services stakeholders
54 25 and advocates including but not limited to representatives of
54 26 the AARP Iowa chapter, direct care workers, long-term care
54 27 provider entities, the long-term care resident's advocate, the
54 28 consumer members of the senior living coordinating unit, the
54 29 department of elder affairs, the department of inspections and
54 30 appeals, and the chairpersons and ranking members of the joint
54 31 appropriations subcommittee on health and human services. The
54 32 workgroup shall submit its recommendations for the redesigned
54 33 accountability measures which shall meet all of the following
54 34 specifications:

54 35 (1) Acknowledge and establish higher benchmarks for
55 1 performance-based reimbursement to those nursing facilities
55 2 meeting the identified and weighted components recommended by
55 3 the workgroup.

55 4 (2) Reinforce the expectation that the performance-based
55 5 payments will be used to support direct care and support care
55 6 staff through increased wages, enhanced benefits, and expanded
55 7 training opportunities and provide a system for determining
55 8 compliance with this expectation.

Specifies legislative intent that the DHS assemble a long-term care services stakeholders workgroup to redesign the accountability measures.

55 9 (3) Identify the best practices that are used in
55 10 facilities receiving a performance-based payment and create a
55 11 system to assist other facilities in the implementation of
55 12 those best practices.

55 13 Sec. 32. REVIEW == DRUG PRODUCT SELECTION. On or after
55 14 the effective date of this section, the chairpersons of the
55 15 joint appropriations subcommittee on health and human services
55 16 shall convene a group of representatives of appropriate
55 17 entities to review current law regarding drug product
55 18 selection. The representatives shall include but are not
55 19 limited to representatives of the Iowa pharmacy association,
55 20 the Iowa medical society, pharmacy industry representatives of
55 21 the Iowa retail federation, advocacy groups, the department of
55 22 human services, the board of pharmacy, and the department of
55 23 public health. The legislative services agency shall provide
55 24 administrative support to the group. The group shall complete
55 25 its deliberations on or before December 15, 2008.

Requires the Chairpersons of the Health and Human Services Appropriations Subcommittee to convene a group to review current laws regarding drug product selection.

55 26 Sec. 33. EMERGENCY RULES. If specifically authorized by a
55 27 provision of this division of this Act, the department of
55 28 human services or the mental health, mental retardation,
55 29 developmental disabilities, and brain injury commission may
55 30 adopt administrative rules under section 17A.4, subsection 2,
55 31 and section 17A.5, subsection 2, paragraph "b", to implement
55 32 the provisions and the rules shall become effective
55 33 immediately upon filing or on a later effective date specified
55 34 in the rules, unless the effective date is delayed by the
55 35 administrative rules review committee. Any rules adopted in
56 1 accordance with this section shall not take effect before the
56 2 rules are reviewed by the administrative rules review
56 3 committee. The delay authority provided to the administrative
56 4 rules review committee under section 17A.4, subsection 5, and
56 5 section 17A.8, subsection 9, shall be applicable to a delay
56 6 imposed under this section, notwithstanding a provision in
56 7 those sections making them inapplicable to section 17A.5,

Permits the Department of Human Services and the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission to adopt emergency rules when authorized.

56 8 subsection 2, paragraph "b". Any rules adopted in accordance
56 9 with the provisions of this section shall also be published as
56 10 notice of intended action as provided in section 17A.4.

56 11 Sec. 34. REPORTS. Any reports or information required to
56 12 be compiled and submitted under this Act shall be submitted to
56 13 the chairpersons and ranking members of the joint
56 14 appropriations subcommittee on health and human services, the
56 15 legislative services agency, and the legislative caucus staffs
56 16 on or before the dates specified for submission of the reports
56 17 or information.

Requires the Department of Elder Affairs, the Department of Public Health, the Department of Human Services, the Department of Veterans Affairs, and the Iowa Veterans Home to submit required reports within this Bill to the Chairpersons and Ranking members of the Health and Human Services Appropriations Subcommittee, the Legislative Services Agency, and the four Caucus staffs on or before the required dates of the reports.

56 18 Sec. 35. EFFECTIVE DATE. The following provisions of this
56 19 division of this Act, being deemed of immediate importance,
56 20 take effect upon enactment:

56 21 1. The provision under the appropriation for child and
56 22 family services, relating to requirements of section 232.143
56 23 for representatives of the department of human services and
56 24 juvenile court services to establish a plan for continuing
56 25 group foster care expenditures for the 2008=2009 fiscal year.
56 26 2. The section directing the chairpersons of the joint
56 27 appropriations subcommittee on health and human services to
56 28 convene a group to review drug product selection.

Specifies that the requirement for the DHS and Juvenile Court Services to develop a FY 2009 funding distribution plan by June 15, 2008 takes effect on enactment. Specifies that the workgroup for the Medicaid drug product selection takes effect upon enactment.

56 29 DIVISION II
56 30 SENIOR LIVING TRUST FUND,
56 31 PHARMACEUTICAL SETTLEMENT ACCOUNT,
56 32 IOWACARE ACCOUNT, HEALTH CARE
56 33 TRANSFORMATION ACCOUNT, AND
56 34 PROPERTY TAX RELIEF FUND

Senior Living Trust Fund, Pharmaceutical Settlement Account, IowaCare Account, and Health Care Transformation Account appropriations for FY 2009.

56 35 Sec. 36. DEPARTMENT OF ELDER AFFAIRS. There is
57 1 appropriated from the senior living trust fund created in
57 2 section 249H.4 to the department of elder affairs for the
57 3 fiscal year beginning July 1, 2008, and ending June 30, 2009,

Senior Living Trust Fund appropriation to the Department of Elder Affairs.

DETAIL: Maintains the current level of funding.

57 4 the following amount, or so much thereof as is necessary, to
 57 5 be used for the purpose designated:
 57 6 For the development and implementation of a comprehensive
 57 7 senior living program, including case management only if the
 57 8 monthly cost per client for case management for the frail
 57 9 elderly services provided does not exceed an average of \$70,
 57 10 and including program administration and costs associated with
 57 11 implementation:
 57 12 \$ 8,442,707

57 13 1. Of the funds appropriated in this section, \$2,196,967
 57 14 shall be used for case management for the frail elderly. Of
 57 15 the funds allocated in this subsection, \$1,010,000 shall be
 57 16 transferred to the department of human services in equal
 57 17 amounts on a quarterly basis for reimbursement of case
 57 18 management services provided under the medical assistance
 57 19 elderly waiver. The monthly cost per client for case
 57 20 management for the frail elderly services provided shall not
 57 21 exceed an average of \$70.

Requires an allocation of \$2,196,967 for the Case Management Program for the Frail Elderly, and requires \$1,010,000 of the allocation to be transferred to the DHS in equal amounts on a quarterly basis for reimbursement under the Medicaid Elderly Waiver. Limits the monthly cost per client to \$70.00.

DETAIL: Maintains current allocation and transfer levels.

57 22 2. Notwithstanding section 249H.7, the department of elder
 57 23 affairs shall distribute up to \$400,000 of the funds
 57 24 appropriated in this section in a manner that will supplement
 57 25 and maximize federal funds under the federal Older Americans
 57 26 Act and shall not use the amount distributed for any
 57 27 administrative purposes of either the department of elder
 57 28 affairs or the area agencies on aging.

CODE: Requires the Department of Elder Affairs to use up to \$400,000 of the Senior Living Trust Fund appropriation to maximize federal funds under the Older Americans Act, and prohibits these funds from being used for administration.

57 29 3. Of the funds appropriated in this section, \$60,000
 57 30 shall be used to provide dementia-specific education to direct
 57 31 care workers and other providers of long-term care to enhance
 57 32 existing or scheduled efforts through the Iowa caregivers
 57 33 association, the Alzheimer's association, and other
 57 34 organizations identified as appropriate by the department.

Allocates \$60,000 for dementia-specific education for direct care workers.

DETAIL: Maintains the current allocation level.

57 35 Sec. 37. DEPARTMENT OF INSPECTIONS AND APPEALS. There is

Senior Living Trust Fund appropriation to the Department of

58 1 appropriated from the senior living trust fund created in
 58 2 section 249H.4 to the department of inspections and appeals
 58 3 for the fiscal year beginning July 1, 2008, and ending June
 58 4 30, 2009, the following amount, or so much thereof as is
 58 5 necessary, to be used for the purpose designated:
 58 6 For the inspection and certification of assisted living
 58 7 facilities and adult day care services, including program
 58 8 administration and costs associated with implementation:
 58 9 \$ 1,183,303

Inspections and Appeals.

DETAIL: Maintains current level of Senior Living Trust Fund support and FTE positions.

58 10 Sec. 38. DEPARTMENT OF HUMAN SERVICES. There is
 58 11 appropriated from the senior living trust fund created in
 58 12 section 249H.4 to the department of human services for the
 58 13 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 58 14 the following amount, or so much thereof as is necessary, to
 58 15 be used for the purpose designated:

58 16 To supplement the medical assistance appropriations made in
 58 17 this Act, including program administration and costs
 58 18 associated with implementation:
 58 19 \$ 67,500,000

Senior Living Trust Fund appropriation to the DHS to supplement the Medical Assistance (Medicaid) appropriation.

DETAIL: This is an increase of \$2,500,000 and no change in FTE positions compared to the FY 2008 appropriation from the Senior Living Trust Fund to increase funding available for increased costs of the Medicaid Program.

58 20 In order to carry out the purposes of this section, the
 58 21 department may transfer funds appropriated in this section to
 58 22 supplement other appropriations made to the department of
 58 23 human services.

Requires the DHS to transfer funds to supplement other appropriations made to the DHS to carry out the purposes of this Section.

58 24 Sec. 39. IOWA FINANCE AUTHORITY. There is appropriated
 58 25 from the senior living trust fund created in section 249H.4 to
 58 26 the Iowa finance authority for the fiscal year beginning July
 58 27 1, 2008, and ending June 30, 2009, the following amount, or so
 58 28 much thereof as is necessary, to be used for the purposes

Senior Living Trust Fund appropriation to the Iowa Finance Authority (IFA) for the Rent Subsidy Program.

DETAIL: Maintains the current level of Senior Living Trust Fund support.

58 29 designated:
 58 30 To provide reimbursement for rent expenses to eligible
 58 31 persons:
 58 32 \$ 700,000

58 33 Participation in the rent subsidy program shall be limited
 58 34 to only those persons who meet the requirements for the
 58 35 nursing facility level of care for home and community-based
 59 1 services waiver services as in effect on July 1, 2008, and to
 59 2 those individuals who are eligible for the federal money
 59 3 follows the person grant program under the medical assistance
 59 4 program.

Requires participation in the Rent Subsidy Program to be limited to individuals at risk of nursing home placement and persons eligible under the federal Money Follows the Person Grant Program.

59 5 Sec. 40. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 59 6 appropriated from the pharmaceutical settlement account
 59 7 created in section 249A.33 to the department of human services
 59 8 for the fiscal year beginning July 1, 2008, and ending June
 59 9 30, 2009, the following amount, or so much thereof as is
 59 10 necessary, to be used for the purpose designated:
 59 11 To supplement the appropriations made for medical contracts
 59 12 under the medical assistance program:
 59 13 \$ 1,323,833

Pharmaceutical Settlement Account appropriation to the Department of Human Services.

DETAIL: No change in the funding level.

59 14 Sec. 41. APPROPRIATIONS FROM IOWACARE ACCOUNT.
 59 15 1. There is appropriated from the IowaCare account created
 59 16 in section 249J.24 to the state board of regents for
 59 17 distribution to the university of Iowa hospitals and clinics
 59 18 for the fiscal year beginning July 1, 2008, and ending June
 59 19 30, 2009, the following amount, or so much thereof as is
 59 20 necessary, to be used for the purposes designated:

59 21 For salaries, support, maintenance, equipment, and
 59 22 miscellaneous purposes, for the provision of medical and
 59 23 surgical treatment of indigent patients, for provision of

IowaCare Account appropriation to the University of Iowa Hospitals and Clinics (UIHC).

DETAIL: Maintains current IowaCare Account support. IowaCare is

59 24 services to members of the expansion population pursuant to
 59 25 chapter 249J, and for medical education:
 59 26 \$ 27,284,584

an indigent care program for uninsured adults with incomes up to 200.00% of the Federal Poverty Level. It was created during the 2005 Legislative Session in response to the elimination of federal Intergovernmental Transfers (IGTs). Fiscal Year 2006 was the first year this appropriation was funded. A portion of the funds are to be used for graduate medical education.

59 27 a. Funds appropriated in this subsection shall not be used
 59 28 to perform abortions except medically necessary abortions, and
 59 29 shall not be used to operate the early termination of
 59 30 pregnancy clinic except for the performance of medically
 59 31 necessary abortions. For the purpose of this subsection, an
 59 32 abortion is the purposeful interruption of pregnancy with the
 59 33 intention other than to produce a live-born infant or to
 59 34 remove a dead fetus, and a medically necessary abortion is one
 59 35 performed under one of the following conditions:

Specifies the conditions that permit the Medical Assistance Program to reimburse providers for abortion services.

DETAIL: The rules regarding abortion that apply to the Medical Assistance Program also apply to IowaCare.

60 1 (1) The attending physician certifies that continuing the
 60 2 pregnancy would endanger the life of the pregnant woman.

60 3 (2) The attending physician certifies that the fetus is
 60 4 physically deformed, mentally deficient, or afflicted with a
 60 5 congenital illness.

60 6 (3) The pregnancy is the result of a rape which is
 60 7 reported within 45 days of the incident to a law enforcement
 60 8 agency or public or private health agency which may include a
 60 9 family physician.

60 10 (4) The pregnancy is the result of incest which is
 60 11 reported within 150 days of the incident to a law enforcement
 60 12 agency or public or private health agency which may include a
 60 13 family physician.

60 14 (5) The abortion is a spontaneous abortion, commonly known
 60 15 as a miscarriage, wherein not all of the products of
 60 16 conception are expelled.

60 17 b. Notwithstanding any provision of law to the contrary,
 60 18 the amount appropriated in this subsection shall be allocated
 60 19 in twelve equal monthly payments as provided in section

CODE: Requires the amount appropriated in this Subsection to be allocated in 12 equal monthly payments.

60 20 249J.24.

60 21 2. There is appropriated from the IowaCare account created
60 22 in section 249J.24 to the state board of regents for
60 23 distribution to the university of Iowa hospitals and clinics
60 24 for the fiscal year beginning July 1, 2008, and ending June
60 25 30, 2009, the following amount, or so much thereof as is
60 26 necessary, to be used for the purposes designated:
60 27 For salaries, support, maintenance, equipment, and
60 28 miscellaneous purposes, for the provision of medical and
60 29 surgical treatment of indigent patients, for provision of
60 30 services to members of the expansion population pursuant to
60 31 chapter 249J, and for medical education:
60 32 \$ 35,969,365

IowaCare Account appropriation of an additional \$35,969,365 to the State Board of Regents to be distributed to the State University of Iowa Hospitals and Clinics (SUIHC).

DETAIL: This is an increase of \$25,969,365 compared to estimated FY 2008. The increase is for increased enrollment and utilization of the IowaCare Program.

60 33 The amount appropriated in this subsection shall be
60 34 distributed only if expansion population claims adjudicated
60 35 and paid by the Iowa Medicaid enterprise exceed the
61 1 appropriation to the state board of regents for distribution
61 2 to the university of Iowa hospitals and clinics provided in
61 3 subsection 1. The amount appropriated in this subsection
61 4 shall be distributed monthly for expansion population claims
61 5 adjudicated and approved for payment by the Iowa Medicaid
61 6 enterprise using medical assistance program reimbursement
61 7 rates.

Permits the appropriation to be distributed only if expansion population claims exceed the \$27,284,584 appropriated to the Board of Regents and requires the funds to be distributed monthly.

61 8 3. There is appropriated from the IowaCare account created
61 9 in section 249J.24 to the department of human services for the
61 10 fiscal year beginning July 1, 2008, and ending June 30, 2009,
61 11 the following amount, or so much thereof as is necessary, to
61 12 be used for the purposes designated:
61 13 For distribution to a publicly owned acute care teaching
61 14 hospital located in a county with a population over three
61 15 hundred fifty thousand for the provision of medical and
61 16 surgical treatment of indigent patients, for provision of
61 17 services to members of the expansion population pursuant to

IowaCare Account appropriation to Polk County Broadlawns Medical Center.

DETAIL: Maintains current level of IowaCare Account support. Broadlawns transfers \$34,000,000 of Polk County property tax proceeds to the State to draw down the federal match that funds the IowaCare Program.

61 18 chapter 249J, and for medical education:
 61 19 \$ 40,000,000

61 20 Notwithstanding any provision of law to the contrary, the
 61 21 amount appropriated in this subsection shall be allocated in
 61 22 twelve equal monthly payments as provided in section 249J.24.
 61 23 Any amount appropriated in this subsection in excess of
 61 24 \$37,000,000 shall be allocated only if federal funds are
 61 25 available to match the amount allocated.

CODE: Requires Broadlawns to receive \$37,000,000 in 12 equal monthly payments and may receive up to \$40,000,000, contingent on the availability of federal matching funds.

61 26 4. There is appropriated from the IowaCare account created
 61 27 in section 249J.24 to the department of human services for the
 61 28 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 61 29 the following amounts, or so much thereof as is necessary, to
 61 30 be used for the purposes designated:

Specifies that the funds in this Section are to be appropriated from the IowaCare Account to the DHS for support of the State Mental Health Institutes (MHIs).

61 31 a. For the state mental health institute at Cherokee, for
 61 32 salaries, support, maintenance, and miscellaneous purposes,
 61 33 including services to members of the expansion population
 61 34 pursuant to chapter 249J:
 61 35 \$ 3,164,766

IowaCare Account appropriation to the Cherokee MHI.

DETAIL: This is a decrease of \$5,933,659 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs expected with the five-year agreement with the federal Centers for Medicare and Medicaid Services. The balance of the MHI funding is met under Section 9 of this Bill.

62 1 b. For the state mental health institute at Clarinda, for
 62 2 salaries, support, maintenance, and miscellaneous purposes,
 62 3 including services to members of the expansion population
 62 4 pursuant to chapter 249J:
 62 5 \$ 687,779

IowaCare Account appropriation to the Clarinda MHI.

DETAIL: This is a decrease of \$1,289,526 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs expected with the five-year agreement with the CMS. The balance of the MHI funding is met under Section 9 of this Bill.

62 6 c. For the state mental health institute at Independence,
 62 7 for salaries, support, maintenance, and miscellaneous
 62 8 purposes, including services to members of the expansion

IowaCare Account appropriation to Independence MHI.

DETAIL: This is a decrease of \$5,899,400 compared to the FY 2008

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| <p>62 9 population pursuant to chapter 249J: 62 10 \$ 3,146,494</p> | <p>appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs as expected with the five-year agreement with the CMS. The balance of the MHI funding is met under Section 9 of this Bill.</p> |
| <p>62 11 d. For the state mental health institute at Mount 62 12 Pleasant, for salaries, support, maintenance, and 62 13 miscellaneous purposes, including services to members of the 62 14 expansion population pursuant to chapter 249J: 62 15 \$ 2,000,961</p> | <p>IowaCare Account appropriation to Mount Pleasant MHI.</p> <p>DETAIL: This is a decrease of \$3,751,626 compared to the FY 2008 appropriation to reflect the phase-out of funding by the IowaCare Account of the four MHIs as expected with the five-year agreement with the CMS. The balance of the MHI funding is met under Section 9 of this Bill.</p> |
| <p>62 16 Sec. 42. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE 62 17 TRANSFORMATION. Notwithstanding any provision to the 62 18 contrary, there is appropriated from the account for health 62 19 care transformation created in section 249J.23 to the 62 20 department of human services for the fiscal year beginning 62 21 July 1, 2008, and ending June 30, 2009, the following amounts, 62 22 or so much thereof as is necessary, to be used for the 62 23 purposes designated:</p> | <p>Appropriations from the Health Care Transformation Account (HCTA).</p> <p>DETAIL: The HCTA was created as part of the agreement with the CMS to discontinue Iowa's Intergovernmental Transfers (IGTs) during the 2005 Legislative Session. It is intended to fund the reforms specified in HF 841 (IowaCare and Medicaid Reform Act) passed during the 2005 Legislative Session.</p> |
| <p>62 24 1. For the costs of medical examinations and development 62 25 of personal health improvement plans for the expansion 62 26 population pursuant to section 249J.6: 62 27 \$ 556,800</p> | <p>Appropriation from the Health Care Transformation Account (HCTA) for medical examinations and personal improvement plans for IowaCare enrollees.</p> <p>DETAIL: Maintains the current level of HCTA support.</p> |
| <p>62 28 2. For the provision of a medical information hotline for 62 29 the expansion population as provided in section 249J.6: 62 30 \$ 150,000</p> | <p>Appropriation from the HCTA for a medical information hotline for IowaCare enrollees.</p> <p>DETAIL: Maintains the current level of HCTA support.</p> |
| <p>62 31 3. For other health promotion partnership activities</p> | <p>Appropriation from the HCTA for other health partnership activities</p> |

| | | |
|-------|--|---|
| 62 32 | pursuant to section 249J.14: | related to IowaCare. |
| 62 33 | \$ 900,000 | DETAIL: This is an increase of \$350,000 compared to the estimated FY 2008 appropriation. |
| 62 34 | 4. For the costs related to audits, performance | Appropriation from the HCTA for costs related to audits, performance |
| 62 35 | evaluations, and studies required pursuant to chapter 249J: | evaluations, and studies related to IowaCare. |
| 63 1 | \$ 400,000 | DETAIL: Maintains the current level of HCTA support. |
| 63 2 | 5. For administrative costs associated with chapter 249J: | Appropriation from the HCTA for IowaCare administrative costs. |
| 63 3 | \$ 1,132,412 | DETAIL: This is an increase of \$202,060 compared to the estimated FY 2008 appropriation. |
| 63 4 | 6. For planning and development, in cooperation with the | Appropriation from the HCTA to the DHS and the DPH to start a |
| 63 5 | department of public health, of a phased-in program to provide | program to provide a dental home for children. |
| 63 6 | a dental home for children: | DETAIL: This is a decrease of \$686,475 compared to the estimated |
| 63 7 | \$ 500,000 | FY 2008 appropriation. |
| 63 8 | The department shall issue a request for proposals for a | Requires the DHS to issue a request for proposals for a Dental Home |
| 63 9 | performance-based contract to implement the dental home for | for Children performance-based contract. |
| 63 10 | children and shall apply for any waivers from the centers for | |
| 63 11 | Medicare and Medicaid services of the United States department | |
| 63 12 | of health and human services as necessary to pursue a | |
| 63 13 | phased-in approach. The department shall submit progress | |
| 63 14 | reports regarding the planning and development of the dental | |
| 63 15 | home for children to the medical assistance projections and | |
| 63 16 | assessment council on a periodic basis. | |
| 63 17 | 7. For a mental health transformation pilot program: | Appropriation from the HCTA for a mental health transformation pilot |
| 63 18 | \$ 250,000 | program. |
| | | DETAIL: Maintains the current level of HCTA support. |

63 19 8. For the tuition assistance for individuals serving
 63 20 individuals with disabilities pilot program as enacted in this
 63 21 Act:
 63 22 \$ 500,000

Appropriation from the HCTA for tuition assistance for individuals serving individuals with disabilities pilot program.

DETAIL: This is a new appropriation for FY 2009.

63 23 9. For payment to the publicly owned acute care teaching
 63 24 hospital located in a county with a population of over 350,000
 63 25 that is a participating provider pursuant to chapter 249J:
 63 26 \$ 230,000

Appropriation from the HCTA for the Polk County Broadlawns Medical Center for the IowaCare Program. Requires distribution of the funds on a monthly basis.

DETAIL: This is a new appropriation for FY 2009.

63 27 Disbursements under this subsection shall be made monthly.
 63 28 The hospital shall submit a report following the close of the
 63 29 fiscal year regarding use of the funds appropriated in this
 63 30 subsection to the persons specified in this Act to receive
 63 31 reports.

Requires that the DHS make 12 monthly payments to Polk County Broadlawns Medical Center for the appropriation. Requires a FY 2009 report from the Medical Center.

63 32 10. For transfer to the department of elder affairs to
 63 33 expand the elder abuse initiative program established pursuant
 63 34 to section 231.56A to additional counties:
 63 35 \$ 200,000

Appropriation from the HCTA to the DHS to transfer to the Department of Elder Affairs to expand the Elder Abuse Initiative Program.

DETAIL: This is a new appropriation for FY 2009.

64 1 11. For pregnancy counseling and support services
 64 2 as specified in this subsection:
 64 3 \$ 200,000

Appropriation from the HCTA to the DHS for pregnancy counseling and support services.

DETAIL: This is a new appropriation for FY 2009.

64 4 The department of human services shall establish a
 64 5 pregnancy counseling and support services program to provide
 64 6 core services consisting of information, education,
 64 7 counseling, and support services to women who experience
 64 8 unplanned pregnancies. Funds appropriated in this subsection

Requires the DHS to establish a pregnancy counseling and support services program for women who experience unplanned pregnancies.

64 9 shall be used by the department to award grants to service
64 10 providers that have been in existence for at least one year
64 11 prior to the awarding of the grant and that are experienced
64 12 and qualified in providing core pregnancy and parenting
64 13 support services, including but not limited to pregnancy
64 14 support organizations, maternity homes, social service
64 15 agencies, and adoption agencies. Priority in the awarding of
64 16 grants shall be given to programs that serve areas of the
64 17 state which demonstrate the highest percentage of unplanned
64 18 pregnancies of females of childbearing age within the
64 19 geographic area to be served by the grant.

64 20 Notwithstanding section 8.39, subsection 1, without the
64 21 prior written consent and approval of the governor and the
64 22 director of the department of management, the director of
64 23 human services may transfer funds among the appropriations
64 24 made in this section as necessary to carry out the purposes of
64 25 the account for health care transformation. The department
64 26 shall report any transfers made pursuant to this section to
64 27 the legislative services agency.

CODE: Permits the DHS to transfer funds to carry out activities in this Section without the approval of the Governor or the Director of the Department of Management, but requires the DHS to report any transfers to the Legislative Services Agency.

64 28 Sec. 43. TRANSFER FROM ACCOUNT FOR HEALTH CARE
64 29 TRANSFORMATION. There is transferred from the account for
64 30 health care transformation created pursuant to section 249J.23
64 31 to the IowaCare account created in section 249J.24 a total of
64 32 \$3,000,000 for the fiscal year beginning July 1, 2008, and
64 33 ending June 30, 2009.

Transfer of \$3,000,000 from the HCTA to the IowaCare account.

DETAIL: This transfer makes up part of the \$37,000,000 appropriation to Broadlawns Medical Center. The transfer is a decrease of \$2,000,000 compared to the FY 2008 transfer.

64 34 Sec. 44. IOWACARE PLAN REPORT. The department of human
64 35 services, in cooperation with the members of the expansion
65 1 population provider network as specified in chapter 249J and
65 2 other interested parties, shall review the current IowaCare
65 3 program and shall develop a plan for continuation, expansion,
65 4 or elimination of the IowaCare program beyond June 30, 2010.
65 5 The plan shall address the issue of establishing a procedure
65 6 to either transfer an expansion population member who seeks

Requires the Department of Human Services with UIHC and Broadlawns to review the IowaCare program and develop a plan for continuation, expansion, or elimination beyond June 30, 2010. The Department is required to submit a report to the Medical Assistance Projections and Assessment Council by December 15, 2008.

65 7 medical care or treatment for a covered service from a
65 8 nonparticipating provider to a participating provider in the
65 9 expansion population provider network, or to compensate the
65 10 nonparticipating provider for medical care or treatment for a
65 11 covered service provided to an expansion population member, if
65 12 transfer is not medically possible or if the transfer is
65 13 refused and if no other third party is liable for
65 14 reimbursement for the services provided. The review shall
65 15 also address the issue of the future of the IowaCare program
65 16 beyond June 30, 2010, including but not limited to expansion
65 17 of the provider network beyond the initial network, expansion
65 18 population member growth projections, member benefits,
65 19 alternatives for providing health care coverage to the
65 20 expansion population, and other issues pertinent to the
65 21 continuation, expansion, or elimination of the program. The
65 22 department shall report its findings and recommendations to
65 23 the medical assistance projections and assessment council no
65 24 later than December 15, 2008.

65 25 Sec. 45. PROPERTY TAX RELIEF FUND. There is appropriated
65 26 from the property tax relief fund created in section 426B.1 to
65 27 the department of human services for the fiscal year beginning
65 28 July 1, 2008, and ending June 30, 2009, the following amount,
65 29 or so much thereof as is necessary, to be used for the
65 30 purposes designated:

65 31 For the medical assistance program in addition to the
65 32 appropriation made in section 426B.1, subsection 3, and other
65 33 appropriations made for purposes of the program:
65 34 \$ 624,000

65 35 The appropriation made in this section consists of the
66 1 revenues credited to the property tax relief fund pursuant to
66 2 sections 437A.8 and 437A.15 after November 1, 2007, and before
66 3 April 1, 2008.

66 4 Sec. 46. Section 426B.2, subsection 3, Code 2007, is
66 5 amended to read as follows:

Appropriation from the Property Tax Relief Fund to the Medical Assistance Program.

DETAIL: This is a new appropriation for FY 2009. This is one-time funding.

CODE: Changes the date that funds collected are to be distributed to allow payments made in a fiscal year to be distributed the following

66 6 3. a. The director of human services shall draw warrants
66 7 on the property tax relief fund, payable to the county
66 8 treasurer in the amount due to a county in accordance with
66 9 subsection 1 and mail the warrants to the county auditors in
66 10 July and January of each year.
66 11 b. Any replacement generation tax in the property tax
66 12 relief fund as of ~~November~~ May 1 shall be paid to the county
66 13 treasurers in July and January of the fiscal year beginning
66 14 the following July 1. The department of management shall
66 15 determine the amount each county will be paid pursuant to this
66 16 lettered paragraph for the following fiscal year. The
66 17 department shall reduce by the determined amount the amount of
66 18 each county's certified budget to be raised by property tax
66 19 for that fiscal year which is to be expended for mental
66 20 health, mental retardation, and developmental disabilities
66 21 services and shall revise the rate of taxation as necessary to
66 22 raise the reduced amount. The department of management shall
66 23 report the reduction in the certified budget and the revised
66 24 rate of taxation to the county auditors by June 15.

fiscal year.

66 25 Sec. 47. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR
66 26 LIVING TRUST FUND FOR FY 2008=2009. Notwithstanding section
66 27 8.33, if moneys appropriated for purposes of the medical
66 28 assistance program for the fiscal year beginning July 1, 2008,
66 29 and ending June 30, 2009, from the general fund of the state,
66 30 the senior living trust fund, the healthy lowans tobacco trust
66 31 fund, the health care trust fund, and the property tax relief
66 32 fund are in excess of actual expenditures for the medical
66 33 assistance program and remain unencumbered or unobligated at
66 34 the close of the fiscal year, the excess moneys shall not
66 35 revert but shall be transferred to the senior living trust
67 1 fund created in section 249H.4.

CODE: Requires nonreversion of the FY 2009 Medical Assistance Program supplemental appropriation and transfer of remaining funds to the Senior Living Trust Fund.

67 2 DIVISION III
67 3 MH/MR/DD/BI SERVICES
67 4 ALLOWED GROWTH FUNDING ==

67 5 FY 2008=2009

67 6 Sec. 48. Section 225C.5, subsection 1, Code 2007, is
67 7 amended by adding the following new paragraph:
67 8 NEW PARAGRAPH . ii. One member shall be an active board
67 9 member of an agency serving persons with a substance abuse
67 10 problem selected from nominees submitted by the Iowa
67 11 behavioral health association.

CODE: Requires one member of the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission be an agency serving persons with substance abuse problems submitted by the Iowa Behavioral Health Association.

67 12 Sec. 49. NEW SECTION . 225C.19 EMERGENCY MENTAL HEALTH
67 13 CRISIS SERVICES SYSTEM.

CODE: Establishes an Emergency Mental Health Crisis Services System.

67 14 1. For the purposes of this section:

67 15 a. "Emergency mental health crisis services provider"
67 16 means a provider accredited or approved by the department to
67 17 provide emergency mental health crisis services.

DETAIL: Defines and describes the services to be provided by the Emergency Mental Health Crisis Services System. Requires that the initial implementation take place by a competitive block grant process. Limits funding for the implementation to the appropriation for the System.

67 18 b. "Emergency mental health crisis services system" or
67 19 "services system" means a coordinated array of crisis services
67 20 for providing a response to assist an individual adult or
67 21 child who is experiencing a mental health crisis or who is in
67 22 a situation that is reasonably likely to cause the individual
67 23 to have a mental health crisis unless assistance is provided.

67 24 2. a. The division shall implement an emergency mental
67 25 health crisis services system in accordance with this section.

67 26 b. The purpose of the services system is to provide a
67 27 statewide array of time=limited intervention services to
67 28 reduce escalation of crisis situations, relieve the immediate
67 29 distress of individuals experiencing a crisis situation,
67 30 reduce the risk of individuals in a crisis situation doing
67 31 harm to themselves or others, and promote timely access to
67 32 appropriate services for those who require ongoing mental
67 33 health services.

67 34 c. The services system shall be available twenty=four
67 35 hours per day, seven days per week to any individual who is
68 1 determined by self or others to be in a crisis situation,
68 2 regardless of whether the individual has been diagnosed with a
68 3 mental illness or a co=occurring mental illness and substance

68 4 abuse disorder, and shall address all ages, income levels, and
68 5 health coverage statuses.

68 6 d. The goals of an intervention offered by a provider
68 7 under the services system shall include but are not limited to
68 8 symptom reduction, stabilization of the individual receiving
68 9 the intervention, and restoration of the individual to a
68 10 previous level of functioning.

68 11 e. The elements of the services system shall be specified
68 12 in administrative rules adopted by the commission.

68 13 3. The services system elements shall include but are not
68 14 limited to all of the following:

68 15 a. Standards for accrediting or approving emergency mental
68 16 health crisis services providers. Such providers may include
68 17 but are not limited to a community mental health center, a
68 18 provider approved in a waiver adopted by the commission to
68 19 provide services to a county in lieu of a community mental
68 20 health center, a unit of the department or other state agency,
68 21 a county, or any other public or private provider who meets
68 22 the accreditation or approval standards for an emergency
68 23 mental health crisis services provider.

68 24 b. Identification by the division of geographic regions,
68 25 service areas, or other means of distributing and organizing
68 26 the emergency mental health crisis services system to ensure
68 27 statewide availability of the services.

68 28 c. Coordination of emergency mental health crisis services
68 29 with all of the following:

68 30 (1) The district and juvenile courts.

68 31 (2) Law enforcement.

68 32 (3) Judicial district departments of correctional
68 33 services.

68 34 (4) County central point of coordination processes.

68 35 (5) Other mental health, substance abuse, and co-occurring
69 1 mental illness and substance abuse services available through
69 2 the state and counties to serve both children and adults.

69 3 d. Identification of basic services to be provided through
69 4 each accredited or approved emergency mental health crisis
69 5 services provider which may include but are not limited to
69 6 face-to-face crisis intervention, stabilization, support,

69 7 counseling, preadmission screening for individuals who may
69 8 require psychiatric hospitalization, transportation, and
69 9 follow-up services.
69 10 e. Identification of operational requirements for
69 11 emergency mental health crisis services provider accreditation
69 12 or approval which may include providing a telephone hotline,
69 13 mobile crisis staff, collaboration protocols, follow-up with
69 14 community services, information systems, and competency-based
69 15 training.
69 16 4. The division shall initially implement the program
69 17 through a competitive block grant process. The implementation
69 18 shall be limited to the extent of the appropriations provided
69 19 for the program.

69 20 Sec. 50. NEW SECTION . 225C.51 DEFINITIONS.
69 21 For the purposes of this division:
69 22 1. "Child" or "children" means a person or persons under
69 23 eighteen years of age.
69 24 2. "Children's system" or "mental health services system
69 25 for children and youth" means the mental health services
69 26 system for children and youth implemented pursuant to this
69 27 division.
69 28 3. "Functional impairment" means difficulties that
69 29 substantially interfere with or limit a person from achieving
69 30 or maintaining one or more developmentally appropriate social,
69 31 behavioral, cognitive, communicative, or adaptive skills and
69 32 that substantially interfere with or limit the person's role
69 33 or functioning in family, school, or community activities.
69 34 "Functional impairment" includes difficulties of episodic,
69 35 recurrent, and continuous duration. "Functional impairment"
70 1 does not include difficulties resulting from temporary and
70 2 expected responses to stressful events in a person's
70 3 environment.
70 4 4. "Other qualifying mental health disorder" means a
70 5 mental health crisis or any diagnosable mental health disorder
70 6 that is likely to lead to mental health crisis unless there is
70 7 an intervention.

CODE: Provides definitions for the Mental Health Crisis Services
System for Children and Youth.

70 8 5. "Serious emotional disturbance" means a diagnosable
70 9 mental, behavioral, or emotional disorder of sufficient
70 10 duration to meet diagnostic criteria specified within the most
70 11 current diagnostic and statistical manual of mental disorders
70 12 published by the American psychiatric association that results
70 13 in a functional impairment. "Serious emotional disturbance"
70 14 does not include substance use and developmental disorders
70 15 unless such disorders co=occur with such a diagnosable mental,
70 16 behavioral, or emotional disorder.
70 17 6. "Youth" means a person eighteen years of age or older
70 18 but under twenty=two years of age who met the criteria for
70 19 having a serious emotional disturbance prior to the age of
70 20 eighteen.

70 21 Sec. 51. NEW SECTION . 225C.52 MENTAL HEALTH SERVICES
70 22 SYSTEM FOR CHILDREN AND YOUTH == PURPOSE.
70 23 1. Establishing a comprehensive community=based mental
70 24 health services system for children and youth is part of
70 25 fulfilling the requirements of the division and the commission
70 26 to facilitate a comprehensive, continuous, and integrated
70 27 state mental health services plan in accordance with sections
70 28 225C.4, 225C.6, and 225C.6A, and other provisions of this
70 29 chapter. The purpose of establishing the children's system is
70 30 to improve access for children and youth with serious
70 31 emotional disturbances and youth with other qualifying mental
70 32 health disorders to mental health treatment, services, and
70 33 other support in the least restrictive setting possible so the
70 34 children and youth can live with their families and remain in
70 35 their communities. The children's system is also intended to
71 1 meet the needs of children and youth who have mental health
71 2 disorders that co=occur with substance abuse, mental
71 3 retardation, developmental disabilities, or other
71 4 disabilities. The children's system shall emphasize
71 5 community=level collaborative efforts between children and
71 6 youth and the families and the state's systems of education,
71 7 child welfare, juvenile justice, health care, substance abuse,
71 8 and mental health.

CODE: Mental Health Services System for Children and Youth.

DETAIL: Provides the DHS implementation provisions for the Children and Youth Mental Health Services System beginning in FY 2009. Requires a competitive bidding process for State block grants and limits funding to the funds provided. Requires the DHS to review available federal funding. Provides criteria for the initial block grants. Requires regular reports to the General Assembly and the Governor.

71 9 2. The goals and outcomes desired for the children's
71 10 system shall include but are not limited to all of the
71 11 following:
71 12 a. Identifying the mental health needs of children and
71 13 youth.
71 14 b. Performing comprehensive assessments of children and
71 15 youth that are designed to identify functional skills,
71 16 strengths, and services needed.
71 17 c. Providing timely access to available treatment,
71 18 services, and other support.
71 19 d. Offering information and referral services to families
71 20 to address service needs other than mental health.
71 21 e. Improving access to needed mental health services by
71 22 allowing children and youth to be served with their families
71 23 in the community.
71 24 f. Preventing or reducing utilization of more costly,
71 25 restrictive care by reducing the unnecessary involvement of
71 26 children and youth who have mental health needs and their
71 27 families with law enforcement, the corrections system, and
71 28 detention, juvenile justice, and other legal proceedings;
71 29 reducing the involvement of children and youth with child
71 30 welfare services or state custody; and reducing the placement
71 31 of children and youth in the state juvenile institutions,
71 32 state mental health institutes, or other public or private
71 33 residential psychiatric facilities.
71 34 g. Increasing the number of children and youth assessed
71 35 for functional skill levels.
72 1 h. Increasing the capacity to develop individualized,
72 2 strengths-based, and integrated treatment plans for children,
72 3 youth, and families.
72 4 i. Promoting communications with caregivers and others
72 5 about the needs of children, youth, and families engaged in
72 6 the children's system.
72 7 j. Developing the ability to aggregate data and
72 8 information, and to evaluate program, service, and system
72 9 efficacy for children, youth, and families being served on a
72 10 local and statewide basis.
72 11 k. Implementing and utilizing outcome measures that are

72 12 consistent with but not limited to the national outcomes
72 13 measures identified by the substance abuse and mental health
72 14 services administration of the United States department of
72 15 health and human services.
72 16 I. Identifying children and youth whose mental health or
72 17 emotional condition, whether chronic or acute, represents a
72 18 danger to themselves, their families, school students or
72 19 staff, or the community.

72 20 Sec. 52. NEW SECTION . 225C.53 ROLE OF DEPARTMENT AND
72 21 DIVISION == TRANSITION TO ADULT SYSTEM.

72 22 1. The department is the lead agency responsible for the
72 23 development, implementation, oversight, and management of the
72 24 mental health services system for children and youth in
72 25 accordance with this chapter. The department's
72 26 responsibilities shall be fulfilled by the division.
72 27 2. The division's responsibilities relating to the
72 28 children's system include but are not limited to all of the
72 29 following:

72 30 a. Ensuring that the rules adopted for the children's
72 31 system provide that, within the limits of appropriations for
72 32 the children's system, children and youth shall not be
72 33 inappropriately denied necessary mental health services.
72 34 b. Establishing standards for the provision of home and
72 35 community-based mental health treatment, services, and other
73 1 support under the children's system.

73 2 c. Identifying and implementing eligibility criteria for
73 3 the treatment, services, and other support available under the
73 4 children's system.

73 5 d. Ongoing implementation of recommendations identified
73 6 through children's system improvement efforts.

73 7 3. An adult person who met the criteria for having a
73 8 serious emotional disturbance prior to the age of eighteen may
73 9 qualify to continue services through the adult mental health
73 10 system.

CODE: Mental Health Services System for Children and Youth.

DETAIL: Provides the DHS implementation provisions for the Children and Youth Mental Health Services System beginning in FY 2009. Requires a competitive bidding process for State block grants and limits funding to the funds provided. Requires the DHS to review available federal funding. Provides criteria for the initial block grants. Requires regular reports to the General Assembly and the Governor.

73 11 Sec. 53. NEW SECTION . 225C.54 MENTAL HEALTH SERVICES

CODE: Mental Health Services System for Children and Youth.

73 12 SYSTEM FOR CHILDREN AND YOUTH == INITIAL IMPLEMENTATION.

73 13 1. The mental health services system for children and
73 14 youth shall be initially implemented by the division
73 15 commencing with the fiscal year beginning July 1, 2008. The
73 16 division shall begin implementation by utilizing a competitive
73 17 bidding process to allocate state block grants to develop
73 18 services through existing community mental health centers,
73 19 providers approved in a waiver adopted by the commission to
73 20 provide services to a county in lieu of a community mental
73 21 health center, and other local service partners. The
73 22 implementation shall be limited to the extent of the
73 23 appropriations provided for the children's system.

73 24 2. In order to maximize federal financial participation in
73 25 the children's system, the division and the department's
73 26 Medicaid program staff shall analyze the feasibility of
73 27 leveraging existing Medicaid options, such as expanding the
73 28 home and community-based services waiver for children's mental
73 29 health services, reviewing the feasibility of implementing
73 30 other Medicaid options such as the federal Tax Equity and
73 31 Financial Responsibility Act of 1982 (TEFRA) option for
73 32 children with severe mental illness or emotional disturbance
73 33 and Medicaid administrative funding, and determining the need
73 34 for service enhancements through revisions to the Medicaid
73 35 state plan and the federal state children's health insurance
74 1 program and the healthy and well kids in Iowa program.

74 2 3. Initial block grants shall support a wide range of
74 3 children, youth, and family services and initiatives including
74 4 but not limited to school-based mental health projects, system
74 5 reviews providing service gap analysis, status studies of the
74 6 mental health needs of children and youth in representative
74 7 areas of the state, and mental health assessment capacity
74 8 development based in public and nonpublic schools and clinical
74 9 settings using standard functional assessment tools. The
74 10 purpose of developing the assessment capacity is to determine
74 11 children's and youths' degree of impairment in daily
74 12 functioning due to emotional, behavioral, psychological,
74 13 psychiatric, or substance use problems.

74 14 4. The initial block grants may also support an array of

DETAIL: Provides the DHS implementation provisions for the Children and Youth Mental Health Services System beginning in FY 2009. Requires a competitive bidding process for State block grants and limits funding to the funds provided. Requires the DHS to review available federal funding. Provides criteria for the initial block grants. Requires regular reports to the General Assembly and the Governor.

74 15 programs and services including but not limited to mobile
74 16 crisis intervention services, or other support intended to
74 17 prevent more intensive or in-patient interventions, skills
74 18 training, intensive care coordination, and
74 19 cognitive-behavioral and multisystemic family therapy. In
74 20 addition, support may be provided for prevention-oriented
74 21 services including mental health consultations regarding home
74 22 visits, child welfare, juvenile justice, and maternal and
74 23 child health services, and consultation for preschool
74 24 programs.
74 25 5. The division shall report regularly to the commission,
74 26 general assembly, and governor concerning the implementation
74 27 status of the children's system, including but not limited to
74 28 an annual report submitted each January. The report may
74 29 address funding requirements and statutory amendments
74 30 necessary to further develop the children's system.

74 31 Sec. 54. Section 331.439, subsection 1, paragraph a, Code
74 32 Supplement 2007, is amended to read as follows:
74 33 a. The county accurately reported by December 1 the
74 34 county's expenditures for mental health, mental retardation,
74 35 and developmental disabilities services and the information
75 1 required under section 225C.6A, subsection 2, paragraph "c",
75 2 for the previous fiscal year on forms prescribed by rules
75 3 adopted by the state commission. If the department determines
75 4 good cause exists, the department may extend a deadline
75 5 otherwise imposed under this chapter, chapter 225C, or chapter
75 6 426B for a county's reporting concerning mental health, mental
75 7 retardation, or developmental disabilities services or related
75 8 revenues and expenditures.

CODE: Allows the Department to extend the filing date for mental health county expenditures if the Department determines there is good cause.

75 9 Sec. 55. 2007 Iowa Acts, chapter 215, section 1, is
75 10 amended to read as follows:
75 11 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION,
75 12 DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH
75 13 APPROPRIATION AND ALLOCATIONS == FISCAL YEAR 2008=2009.

75 14 1. There is appropriated from the general fund of the
 75 15 state to the department of human services for the fiscal year
 75 16 beginning July 1, 2008, and ending June 30, 2009, the
 75 17 following amount, or so much thereof as is necessary, to be
 75 18 used for the purpose designated:

75 19 For distribution to counties of the county mental health,
 75 20 mental retardation, and developmental disabilities allowed
 75 21 growth factor adjustment for fiscal year 2008=2009, and for
 75 22 the brain injury services program in the department of public
 75 23 health:

75 24 \$ ~~64,600,002~~

75 25 54,081,310

75 26 ~~2. The amount appropriated in this section shall be~~
 75 27 ~~allocated as provided in a later enactment of the general~~
 75 28 ~~assembly.~~

CODE: Amends the FY 2009 original Mental Health Allowed Growth appropriation to reflect the continuation of funding from the Health Care Trust Fund and the transfer of the Brain Injury Waiver to Medicaid.

DETAIL: This includes:

- An increase of \$8,119,862 compared to the FY 2008 appropriation for counties.
- A decrease of \$7,592,099 which continues to be funded in FY 2009 from the Health Care Trust Fund in this Bill.
- A decrease of \$2,926,593 for the transfer in FY 2009 of funding for the brain injury waiver cost within the DHS Medicaid Program within this Bill.

The FY 2008 separate appropriation of \$12,000,000 is contained within this FY 2009 appropriation.

75 29 2. There is appropriated from the property tax relief fund
 75 30 to the department of human services for the fiscal year
 75 31 beginning July 1, 2008, and ending June 30, 2009, the
 75 32 following amount, or so much thereof as is necessary, to be
 75 33 used for the purposes designated:

75 34 For distribution to counties of the county mental health,
 75 35 mental retardation, and developmental disabilities allowed
 76 1 growth factor adjustment, as provided in this section in lieu
 76 2 of the provisions of section 331.438, subsection 2, and
 76 3 section 331.439, subsection 3, and chapter 426B:

76 4 \$ 7,592,099

CODE: Adds a Property Tax Relief Fund appropriation to the Mental Health FY 2009 Allowed Growth.

DETAIL: This is an appropriation from the Health Care Trust Fund, transferred through the Property Tax Relief Fund. Maintains the current level of Health Care Trust Fund support.

76 5 Sec. 56. 2007 Iowa Acts, chapter 215, section 1, as
 76 6 amended by this division of this Act, is amended by adding the
 76 7 following new subsections:

76 8 NEW SUBSECTION . 3. Of the amount appropriated in
 76 9 subsection 1, \$12,000,000 shall be distributed as provided in
 76 10 this subsection.

76 11 a. To be eligible to receive a distribution under this

CODE: Requires counties eligible for the \$12,000,000 of the Mental Health Allowed Growth funding to comply with the following:

- Levy at least 90.00% of the maximum levy.
- Levy so the rate is more than \$2.00 per \$1,000 of the taxable assessed property value.
- Maintain a Mental Health Services Fund Balance for FY 2007 of

| | |
|---|---|
| 76 12 subsection, a county must meet the following requirements: | 15.00% or less. |
| 76 13 (1) The county is levying for the maximum amount allowed | |
| 76 14 for the county's mental health, mental retardation, and | |
| 76 15 developmental disabilities services fund under section | |
| 76 16 331.424A for taxes due and payable in the fiscal year | |
| 76 17 beginning July 1, 2008, or the county is levying for at least | |
| 76 18 90 percent of the maximum amount allowed for the county's | |
| 76 19 services fund and that levy rate is more than \$2 per \$1,000 of | |
| 76 20 the assessed value of all taxable property in the county. | |
| 76 21 (2) In the fiscal year beginning July 1, 2007, the | |
| 76 22 county's mental health, mental retardation, and developmental | |
| 76 23 disabilities services fund ending balance under generally | |
| 76 24 accepted accounting principles was equal to or less than 15 | |
| 76 25 percent of the county's actual gross expenditures for that | |
| 76 26 fiscal year. | |
| 76 27 b. A county's allocation of the amount appropriated in | |
| 76 28 this subsection shall be determined based upon the county's | |
| 76 29 proportion of the general population of the counties eligible | |
| 76 30 to receive an allocation under this subsection. The most | |
| 76 31 recent population estimates issued by the United States bureau | |
| 76 32 of the census shall be applied in determining population for | |
| 76 33 the purposes of this paragraph. | |
| 76 34 c. The allocations made pursuant to this subsection are | |
| 76 35 subject to the distribution provisions and withholding | |
| 77 1 requirements established in this section for the county mental | |
| 77 2 health, mental retardation, and developmental disabilities | |
| 77 3 allowed growth factor adjustment for the fiscal year beginning | |
| 77 4 July 1, 2008. | |
| 77 5 <u>NEW SUBSECTION</u> . 4. The funding appropriated in this | CODE: Sets the expenditure target allocation to the allowed growth |
| 77 6 section is the allowed growth factor adjustment for fiscal | funding pool for FY 2009. |
| 77 7 year 2008=2009, and shall be credited to the allowed growth | |
| 77 8 funding pool created in the property tax relief fund and for | |
| 77 9 distribution in accordance with section 426B.5, subsection 1: | |
| 77 10 \$ 49,673,409 | |
| 77 11 <u>NEW SUBSECTION</u> . 5. The following formula amounts shall be | CODE: Provides the annual distribution of the FY 2009 Mental Health |

77 12 utilized only to calculate preliminary distribution amounts
 77 13 for fiscal year 2008=2009 under this section by applying the
 77 14 indicated formula provisions to the formula amounts and
 77 15 producing a preliminary distribution total for each county:
 77 16 a. For calculation of a distribution amount for eligible
 77 17 counties from the allowed growth funding pool created in the
 77 18 property tax relief fund in accordance with the requirements
 77 19 in section 426B.5, subsection 1:
 77 20 \$ 57,337,985
 77 21 b. For calculation of a distribution amount for counties
 77 22 from the mental health and developmental disabilities (MH/DD)
 77 23 community services fund in accordance with the formula
 77 24 provided in the appropriation made for the MH/DD community
 77 25 services fund for the fiscal year beginning July 1, 2008:
 77 26 \$ 17,727,890
 77 27 NEW SUBSECTION . 6. After applying the applicable
 77 28 statutory distribution formulas to the amounts indicated in
 77 29 subsection 5 for purposes of producing preliminary
 77 30 distribution totals, the department of human services shall
 77 31 apply a withholding factor to adjust an eligible individual
 77 32 county's preliminary distribution total. In order to be
 77 33 eligible for a distribution under this section, a county must
 77 34 be levying seventy percent or more of the maximum amount
 77 35 allowed for the county's mental health, mental retardation,
 78 1 and developmental disabilities services fund under section
 78 2 331.424A for taxes due and payable in the fiscal year for
 78 3 which the distribution is payable. An ending balance
 78 4 percentage for each county shall be determined by expressing
 78 5 the county's ending balance on a modified accrual basis under
 78 6 generally accepted accounting principles for the fiscal year
 78 7 beginning July 1, 2007, in the county's mental health, mental
 78 8 retardation, and developmental disabilities services fund
 78 9 created under section 331.424A, as a percentage of the
 78 10 county's gross expenditures from that fund for that fiscal
 78 11 year. If a county borrowed moneys for purposes of providing
 78 12 services from the county's services fund on or before July 1,
 78 13 2007, and the county's services fund ending balance for that
 78 14 fiscal year includes the loan proceeds or an amount designated

Allowed Growth appropriation. Reflects appropriations from multiple
 sources with the single distribution. Requires \$57,337,985 to be
 distributed to counties that levy at least 70.00% for the MH/MR/DD
 Services Fund and have limited Fund balances. Fund balances for
 the distribution formula are those from FY 2008. Those counties that
 have an ending Fund balance of between 10.00% and 25.00% will
 experience a reduction of \$7,664,576 as a withholding target.

78 15 in the county budget to service the loan for the borrowed
78 16 moneys, those amounts shall not be considered to be part of
78 17 the county's ending balance for purposes of calculating an
78 18 ending balance percentage under this subsection. The
78 19 withholding factor for a county shall be the following
78 20 applicable percent:

78 21 a. For an ending balance percentage of less than 5
78 22 percent, a withholding factor of 0 percent. In addition, a
78 23 county that is subject to this lettered paragraph shall
78 24 receive an inflation adjustment equal to 3 percent of the
78 25 gross expenditures reported for the county's services fund for
78 26 the fiscal year.

78 27 b. For an ending balance percentage of 5 percent or more
78 28 but less than 10 percent, a withholding factor of 0 percent.
78 29 In addition, a county that is subject to this lettered
78 30 paragraph shall receive an inflation adjustment equal to 2
78 31 percent of the gross expenditures reported for the county's
78 32 services fund for the fiscal year.

78 33 c. For an ending balance percentage of 10 percent or more
78 34 but less than 25 percent, a withholding factor of 25 percent.
78 35 However, for counties with an ending balance percentage of 10
79 1 percent or more but less than 15 percent, the amount withheld
79 2 shall be limited to the amount by which the county's ending
79 3 balance was in excess of the ending balance percentage of 10
79 4 percent.

79 5 d. For an ending balance percentage of 25 percent or more,
79 6 a withholding percentage of 100 percent.

79 7 NEW SUBSECTION . 7. The total withholding amounts applied
79 8 pursuant to subsection 6 shall be equal to a withholding
79 9 target amount of \$7,664,576. If the department of human
79 10 services determines that the amount to be withheld in
79 11 accordance with subsection 6 is not equal to the target
79 12 withholding amount, the department shall adjust the
79 13 withholding factors listed in subsection 6 as necessary to
79 14 achieve the target withholding amount. However, in making
79 15 such adjustments to the withholding factors, the department
79 16 shall strive to minimize changes to the withholding factors
79 17 for those ending balance percentage ranges that are lower than

79 18 others and shall not adjust the zero withholding factor or the
79 19 inflation adjustment percentage specified in subsection 6,
79 20 paragraph "a".

79 21 NEW SUBSECTION . 8. It is the intent of the general
79 22 assembly that for distribution of the moneys addressed in this
79 23 section to counties for the fiscal year beginning July 1,
79 24 2009, any factor utilizing services fund ending balances will
79 25 be based upon the fiscal year beginning July 1, 2007.

CODE: Specifies that for FY 2010 mental health allowed growth funding distribution the distribution is to be based upon FY 2008 County Mental Health Fund Balances.

79 26 NEW SUBSECTION . 9. a. The department of human services
79 27 may implement a pilot project for a regional service network
79 28 established for mental health, mental retardation, and
79 29 developmental disabilities services paid from the services
79 30 funds under section 331.424A. The initial term of the pilot
79 31 project is limited to the two=year period beginning July 1,
79 32 2008, and ending June 30, 2010.

CODE: Specifies the Department may implement a regional pilot project to improve services and efficiency for recipients of Mental Health, Mental Retardation, and Developmental Disabilities services. The pilot counties are to provide periodic updates to the DHS, Governor, and the General Assembly.

79 33 b. Under the pilot project, the department may enter into
79 34 an agreement with the counties participating in the pilot
79 35 project to administer a risk=based contract for the mental
80 1 health, mental retardation, and developmental disabilities
80 2 services provided by the participating counties. The pilot
80 3 project provisions may include but are not limited to all of
80 4 the following:

80 5 (1) Pooling of the participating counties services fund
80 6 moneys.

80 7 (2) Pooling of waiver slots for the participating
80 8 counties.

80 9 (3) To the extent allowed under federal requirements,
80 10 decategorizing the funding streams for mental health, mental
80 11 retardation, and developmental disabilities available to the
80 12 counties participating in the pilot project.

80 13 (4) If the department implements a new program,
80 14 initiative, or service addressing the needs of the populations
80 15 receiving services paid for by a county services fund,
80 16 adapting any associated requirements to optimize

80 17 implementation within the pilot project counties.
80 18 c. For purposes of qualifying for the allowed growth and
80 19 MH/DD community services fund moneys distributed under this
80 20 section, the minimum levy and services fund ending balances of
80 21 the counties participating in the pilot project may be
80 22 combined and an average utilized to qualify for the moneys.
80 23 d. For the allowed growth and MH/DD community services
80 24 fund moneys distributed for the fiscal year beginning July 1,
80 25 2009, provided the counties participating in the pilot project
80 26 do not reduce levies below the required percentages, the
80 27 combined percentage of those moneys of such counties shall not
80 28 be less than the combined percentage of such moneys in the
80 29 preceding fiscal year.
80 30 e. A county's participation in the pilot project and the
80 31 provisions of the pilot project must be agreed upon by the
80 32 department and the board of supervisors of each of the
80 33 counties participating in the pilot project.
80 34 f. The department may specify a minimum population level
80 35 and other prerequisites for the consortium of counties
81 1 participating in the pilot project.
81 2 g. The pilot project counties shall provide periodic
81 3 performance and evaluation information to the department,
81 4 governor, and general assembly.

81 5 Sec. 57. COUNTY=STATE SHARED FUNDING FOR MENTAL HEALTH AND
81 6 DISABILITY SERVICES COVERED BY THE MEDICAID PROGRAM.

81 7 1. The legislative council is requested to authorize for
81 8 the 2008 legislative interim a task force to consider
81 9 county=state shared funding for mental health and disability
81 10 services covered by the Medicaid program. The membership of
81 11 the task force should include five legislators from each
81 12 chamber, one member of the mental health, mental retardation,
81 13 developmental disabilities, and brain injury (MH/MR/DD/BI)
81 14 commission; three members of county boards of supervisors,
81 15 with one each from a large, medium, and small population
81 16 county; three staff members from the county central point of
81 17 coordination (CPC) office, with one each from a large, medium,

Requests the Legislative Council to authorize an interim task force to review Mental Health Funding for services covered by the Medicaid Program and to submit a final report to the General Assembly.

81 18 and small population county; two individuals representing
81 19 advocacy organizations, one of which shall be the governor's
81 20 developmental disabilities council; one current consumer of
81 21 county MH/MR/DD services; and one MH/MR/DD/BI service provider
81 22 representative from each of the state's five congressional
81 23 districts.

81 24 2. The task force should be charged to review and estimate
81 25 the shared impact for the state and for Iowa counties if
81 26 financial responsibility for the nonfederal share of the costs
81 27 of mental health and disability services covered under the
81 28 Medicaid program is shifted from counties to the state. The
81 29 task force should be charged to develop an eight-year
81 30 transition plan that reflects the shared responsibility of
81 31 costs and service delivery resulting from the shift in
81 32 responsibilities. It is the intent of the general assembly
81 33 that the task force will be formed by June 15, 2008, and meet
81 34 a minimum of four times in 2008.

81 35 3. In addition to legislative staff, representatives of
82 1 the department of management, the Iowa state association of
82 2 counties, the department of human services, association of
82 3 community providers, and Iowa substance abuse program
82 4 directors association shall comprise a team of resource
82 5 experts to the task force.

82 6 4. The task force's final report for consideration by the
82 7 2009 regular session of the general assembly and governor
82 8 shall include findings and recommendations and a service
82 9 delivery and funding transition plan.

82 10 Sec. 58. COMMUNITY MENTAL HEALTH CENTER LAW UPDATE.

82 11 1. The administrator of the division of mental health and
82 12 disability services of the department of human services shall
82 13 appoint a stakeholder advisory committee to develop a proposal
82 14 for updating and revising Code chapter 230A, relating to
82 15 community mental health centers, and for revising the
82 16 accreditation standards in rule that would result from the
82 17 statutory revisions.

82 18 2. The membership of the advisory committee shall include

Provides for a moratorium of designating entities as community mental health centers. Requires the DHS to appoint an Advisory Committee for revision of accreditation standards and updates in statutory provisions.

82 19 all of the following:

82 20 a. Five voting members representing the board of directors

82 21 and professional staff of community mental health centers and

82 22 division staff, selected by the administrator.

82 23 b. Five voting members, not more than two of whom shall be

82 24 employed by, providing services to, or otherwise affiliated

82 25 with a community mental health center, selected one each by

82 26 the following:

82 27 (1) The child welfare advisory committee established

82 28 pursuant to section 234.3.

82 29 (2) The coalition for family and children's services in

82 30 Iowa.

82 31 (3) The Iowa association of community providers.

82 32 (4) The Iowa chapter of the national association of social

82 33 workers.

82 34 (5) The Iowa psychological association jointly with the

82 35 Iowa psychiatric society.

83 1 c. Four ex officio, nonvoting members selected one each by

83 2 the following:

83 3 (1) A member of the senate selected by the majority leader

83 4 of the senate.

83 5 (2) A member of the senate selected by the minority leader

83 6 of the senate.

83 7 (3) A member of the house of representatives selected by

83 8 the speaker of the house of representatives.

83 9 (4) A member of the house of representatives selected by

83 10 the minority leader of the house of representatives.

83 11 Those selecting the voting members of the advisory

83 12 committee shall identify more than one option as necessary for

83 13 the membership to comply with the political affiliation and

83 14 gender balance requirements of sections 69.16 and 69.16A.

83 15 3. The advisory committee recommendations shall include

83 16 but are not limited to addressing Code chapter 230A

83 17 requirements in the following areas: establishment and

83 18 support of community mental health centers, services offered,

83 19 consumer and family involvement, capability to address

83 20 co-occurring disorders, forms of organization, board of

83 21 directors, organization meetings, duties and powers of

83 22 directors, center organization as a nonprofit entity, annual
 83 23 budget, financial support of centers through federal and state
 83 24 block grants, comprehensive community mental health programs,
 83 25 target populations to be served, emergency mental health
 83 26 crisis services, quality improvement programs, use of
 83 27 evidence-based practices, use of functional assessments and
 83 28 outcomes measures, establishment of standards, and review and
 83 29 evaluation processes.
 83 30 4. The advisory committee shall submit its report with
 83 31 findings and recommendations to the governor and general
 83 32 assembly on or before December 1, 2008. Until the advisory
 83 33 committee report has been considered and acted upon by the
 83 34 general assembly, the division administrator may defer
 83 35 consideration of requests for accreditation of a new community
 84 1 mental health center or for approval of a provider to fill the
 84 2 role of a community mental health center.

84 3 DIVISION IV
 84 4 HEALTH CARE TRUST FUND APPROPRIATIONS ==
 84 5 HEALTH CARE ACTIVITIES
 84 6 Sec. 59. DEPARTMENT OF PUBLIC HEALTH. The allocations
 84 7 made in this section may include amounts carried forward from
 84 8 appropriations and allocations made for the same purposes in
 84 9 the previous fiscal year. In addition to any other
 84 10 appropriation made in this Act for the purposes designated,
 84 11 there is appropriated from the health care trust fund created
 84 12 in section 453A.35A to the department of public health for the
 84 13 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 84 14 the following amounts, or so much thereof as is necessary, for
 84 15 the purposes designated, and for not more than the following
 84 16 full-time equivalent positions:

84 17 1. ADDICTIVE DISORDERS
 84 18 \$ 2,955,164
 84 19 FTEs 5.00

Health Care Trust Fund appropriation to the Addictive Disorders
 Program.

DETAIL: This is a decrease of \$4,038,590 and an increase of 1.00
 FTE position compared to the estimated FY 2008 appropriation. An

additional \$1,532,149 is provided to the Addictive Disorders Program from the General Fund in Division I. The decrease from the Health Care Trust Fund (HCTF) includes:

- A decrease of \$34,000 for the one-time FY 2008 carryforward expected from the Cultural Competency funding.
- A decrease of \$613,000 by reducing gambling treatment advertising in the Gambling Treatment Fund appropriation and reallocating that to Addictive Disorders.
- A decrease of \$1,850,000 by reducing gambling treatment services in the Gambling Treatment Fund appropriation and reallocating that to Addictive Disorders.
- A decrease of \$525,000 available for Addictive Disorders in the Gambling Treatment Fund from one-time FY 2008 carryforward as a result of a Governor's veto.
- A decrease of \$140,590 for the expected FY 2008 carryforward from the Tobacco and Use Prevention allocation.
- A decrease of \$126,000 for a reduction in tobacco prevention advertising compared to the amount utilized in FY 2008.
- A decrease of \$750,000 from a possible FY 2008 carryforward from the Tobacco and Use Prevention allocation.

84 20 a. Of the funds appropriated in this subsection, \$450,000
84 21 shall be used for culturally competent substance abuse
84 22 treatment pilot projects.

84 23 (1) The department shall utilize the amount allocated in
84 24 this lettered paragraph for at least three pilot projects to
84 25 provide culturally competent substance abuse treatment in
84 26 various areas of the state. Each pilot project shall target a
84 27 particular ethnic minority population. The populations
84 28 targeted shall include but are not limited to
84 29 African=American, Asian, and Latino.

84 30 (2) The pilot project requirements shall provide for
84 31 documentation or other means to ensure access to the cultural
84 32 competence approach used by a pilot project so that such
84 33 approach can be replicated and improved upon in successor
84 34 programs.

Allocates \$450,000 for implementation of three culturally competent substance abuse treatment pilot projects and specifies project requirements.

DETAIL: Maintains current level of funding for the allocation.

84 35 b. Of the funds appropriated in this subsection,
 85 1 \$2,747,754 shall be used for tobacco use prevention,
 85 2 cessation, and treatment. The department shall utilize the
 85 3 funds to provide for a variety of activities related to
 85 4 tobacco use prevention, cessation, and treatment including to
 85 5 support Quitline Iowa, QuitNet cessation counseling and
 85 6 education, grants to school districts and community
 85 7 organizations to support Just Eliminate Lies youth chapters
 85 8 and youth tobacco prevention activities, the Just Eliminate
 85 9 Lies tobacco prevention media campaign, nicotine replacement
 85 10 therapy, and other prevention and cessation materials and
 85 11 media promotion. Of the funds allocated in this lettered
 85 12 paragraph, \$255,000 may be utilized by the department for
 85 13 administrative purposes.

Allocates \$2,747,754 for tobacco use prevention, cessation, and treatment, and specifies the activities to be funded.

DETAIL: This is a decrease of \$3,114,000 compared to the FY 2008 allocation. This is expected to be an allocation of \$3,360,754 when combining the tobacco use prevention allocation in the Gambling Treatment Fund Addictive Disorders allocation in this Bill. The total of \$3,360,754 is a decrease of \$2,501,000 compared to the FY 2008 allocation for the reduction for advertising costs and decreased smoking cessation efforts. There is an expected FY 2008 carryforward of \$890,590 from contracts and from DPH staffing costs. There is also an appropriation in SF 2417 (Healthy Iowans Tobacco Trust) for this same purpose.

Permits \$255,000 for DPH administrative costs. This is no change compared to FY 2008.

85 14 c. Of the funds appropriated in this subsection, \$682,000
 85 15 shall be used for substance abuse treatment activities.

Allocates \$682,000 for substance abuse treatment.

DETAIL: This is no change from the FY 2008 allocation.

85 16 2. HEALTHY CHILDREN AND FAMILIES
 85 17 \$ 667,700
 85 18 FTEs 1.00

Health Care Trust Fund appropriation to the Healthy Children and Families Program.

DETAIL: This is a decrease of \$19,800 and an increase of 0.50 FTE position compared to the FY 2008 appropriation for one-time funding available from the FY 2008 allocation for the Tissue Bank. An additional \$2,436,913 is provided to the Healthy Children and Families Program from the General Fund in Division I.

85 19 a. Of the funds appropriated in this subsection, \$200,000
 85 20 shall be used to address the healthy mental development of
 85 21 children from birth through five years of age through local
 85 22 evidence-based strategies that engage both the public and
 85 23 private sectors in promoting healthy development, prevention,
 85 24 and treatment for children.

Allocates \$200,000 for the Assuring Better Child Health and Development Program (ABCD II).

DETAIL: Maintains the current allocation level. An additional \$325,000 is allocated from the General Fund for this purpose in Division I.

85 25 b. Of the funds appropriated in this subsection, \$180,000
85 26 shall be used for childhood obesity prevention.

Allocates \$180,000 for childhood obesity prevention.

DETAIL: Maintains the current allocation level.

85 27 c. Of the funds appropriated in this subsection, \$39,000
85 28 shall be used for the dental screening of children program
85 29 pursuant to 2007 Iowa Acts, chapter 146, section 1.

Allocates \$39,000 for child dental screenings.

DETAIL: Maintains the current allocation level.

85 30 d. Of the funds appropriated in this subsection, \$10,000
85 31 shall be used for public health education and awareness of the
85 32 children's vision initiatives, including the InfantSee program
85 33 and the student vision program, administered through a
85 34 statewide association of optometric professionals for infants
85 35 and preschool children.

Allocates \$10,000 for public health education and awareness of children's vision initiatives.

DETAIL: Maintains the current allocation level.

86 1 e. Of the funds appropriated in this subsection, \$238,500
86 2 shall be used to provide audiological services and hearing
86 3 aids for children. The department may enter into a contract
86 4 to administer this paragraph.

Allocates \$238,500 for audiological services and hearing aids for children.

DETAIL: Maintains the current allocation level.

86 5 f. It is the intent of the general assembly that the
86 6 department of public health shall implement the
86 7 recommendations of the postnatal tissue and fluid bank task
86 8 force created in 2007 Iowa Acts, chapter 147, based upon the
86 9 report submitted to the general assembly in November 2007, as
86 10 funding becomes available. The department shall notify the
86 11 Iowa Code editor and the persons specified in this Act to
86 12 receive reports when such funding becomes available.

Specifies legislative intent that the DPH continue to implement the recommendations of the Postnatal Tissue and Fluid Bank Task Force.

DETAIL: With FY 2008 carryforward funding of \$19,800 and \$200 within the FY 2009 appropriation for this Section, a total of \$20,000 is available in FY 2009.

86 13 3. CHRONIC CONDITIONS

86 14 \$ 1,164,181

86 15 FTEs 1.00

Health Care Trust Fund appropriation to the Chronic Conditions Program.

DETAIL: This is a decrease of \$24,800 and no change in FTE positions compared to the FY 2008 appropriation. An additional

\$2,342,840 is provided to the Chronic Conditions Program from the General Fund in Division I. The change from the HCTF includes:

- A decrease of \$10,000 for expected carryforward funds from the Iowa Consortium for Comprehensive Cancer Control (ICCCC) FY 2008 funding.
- A decrease of \$4,800 for expected carryforward funds from the Hemophilia Advisory Council FY 2008 funding.
- A decrease of \$10,000 to reflect the elimination of funding for extracorporeal support.

86 16 a. Of the funds appropriated in this subsection, \$473,981
86 17 shall be used for child health specialty clinics.

Allocates \$473,981 for additional funding for child health specialty clinics.

DETAIL: Maintains the current allocation level. This is in addition to the current \$468,865 in General Fund appropriations provided for this purpose.

86 18 b. Of the funds appropriated in this subsection, \$500,000
86 19 shall be used for the comprehensive cancer control program to
86 20 reduce the burden of cancer in Iowa through prevention, early
86 21 detection, effective treatment, and ensuring quality of life.
86 22 The department shall utilize one of the full-time equivalent
86 23 positions authorized in this subsection for administration of
86 24 the activities related to the comprehensive cancer control
86 25 program.

Allocates \$500,000 and 1.00 FTE position for the Iowa Consortium for Comprehensive Cancer Control.

DETAIL: Maintains the current allocation level when adding the FY 2008 carryforward of \$10,000.

86 26 c. Of the funds appropriated in this subsection, \$5,000
86 27 shall be used for the hemophilia advisory council pursuant to
86 28 chapter 135N.

Allocates \$5,000 to implement the Hemophilia Advisory Council.

DETAIL: Maintains the current allocation level when adding the expected carryforward of \$4,800.

86 29 d. Of the funds appropriated in this subsection, \$200,000
86 30 shall be used for cervical and colon cancer screening.

Allocates \$200,000 for cervical and colon cancer screening.

DETAIL: Maintains the current allocation level.

| | | |
|-------|--|---|
| 86 31 | 4. COMMUNITY CAPACITY | Health Care Trust Fund appropriation to the Community Capacity Program. |
| 86 32 | \$ 2,790,000 | |
| 86 33 | FTEs 6.00 | DETAIL: Maintains the current level of appropriation and provides an increase of 4.00 FTE positions compared to the estimated FY 2008 appropriation. An additional \$1,760,532 is provided to the Community Capacity Program from the General Fund in Division I. |
| 86 34 | a. Of the funds appropriated in this subsection, \$75,000 | Allocates \$75,000 for local public health redesign efforts. |
| 86 35 | shall be used to further develop and implement at the state | |
| 87 1 | level, and pilot at the local level, the Iowa public health | DETAIL: Maintains the current allocation level. |
| 87 2 | standards approved by the department. | |
| 87 3 | b. Of the funds appropriated in this subsection, \$200,000 | Allocates \$200,000 for the Mental Health Professional Shortage Area Program. |
| 87 4 | shall be used for the mental health professional shortage area | |
| 87 5 | program implemented pursuant to section 135.80. | DETAIL: Maintains the current allocation level. |
| 87 6 | c. Of the funds appropriated in this subsection, \$50,000 | Allocates \$50,000 to implement a rotation program for intern psychologists in urban and rural mental health professional shortage areas. |
| 87 7 | shall be used for a grant to a statewide association of | |
| 87 8 | psychologists that is affiliated with the American | |
| 87 9 | psychological association to be used for continuation of a | DETAIL: Maintains the current allocation level. |
| 87 10 | program to rotate intern psychologists in placements in urban | |
| 87 11 | and rural mental health professional shortage areas, as | |
| 87 12 | defined in section 135.80. | |
| 87 13 | d. Of the funds appropriated in this subsection, the | Provides for allocations to the Iowa Collaborative Safety Net Provider Network. |
| 87 14 | following amounts shall be allocated to the Iowa collaborative | |
| 87 15 | safety net provider network established pursuant to section | |
| 87 16 | 135.153 to be used for the purposes designated: | |
| 87 17 | (1) For distribution to the Iowa=Nebraska primary care | Allocates \$100,000 for the Iowa Collaborative Safety Net Provider Network. |
| 87 18 | association for statewide coordination of the Iowa | |
| 87 19 | collaborative safety net provider network: | |
| 87 20 | \$ 100,000 | DETAIL: Maintains the current allocation level. |

| | | |
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| 87 21 | (2) For distribution to the Iowa family planning network | Allocates \$100,000 for family planning network agencies to assist |
| 87 22 | agencies for necessary infrastructure, statewide coordination, | patients in finding an appropriate medical home. |
| 87 23 | provider recruitment, service delivery, and provision of | |
| 87 24 | assistance to patients in determining an appropriate medical | DETAIL: Maintains the current allocation level. |
| 87 25 | home: | |
| 87 26 | \$ 100,000 | |
| 87 27 | (3) For distribution to the local boards of health that | Allocates \$100,000 for local board of health pilot programs in three |
| 87 28 | provide direct services for pilot programs in three counties | counties to assist patients in finding an appropriate medical home. |
| 87 29 | to assist patients in determining an appropriate medical home: | |
| 87 30 | \$ 100,000 | DETAIL: Maintains the current allocation level. |
| 87 31 | (4) For distribution to maternal and child health centers | Allocates \$100,000 for three child and maternal health center pilot |
| 87 32 | for pilot programs in three counties to assist patients in | programs to assist patients in finding an appropriate medical home. |
| 87 33 | determining an appropriate medical home: | |
| 87 34 | \$ 100,000 | DETAIL: Maintains the current allocation level. |
| 87 35 | (5) For distribution to free clinics for necessary | Allocates \$250,000 for free clinics to assist patients in finding an |
| 88 1 | infrastructure, statewide coordination, provider recruitment, | appropriate medical home. |
| 88 2 | service delivery, and provision of assistance to patients in | |
| 88 3 | determining an appropriate medical home: | DETAIL: Maintains the current allocation level. |
| 88 4 | \$ 250,000 | |
| 88 5 | (6) For distribution to rural health clinics for necessary | Allocates \$150,000 for rural health clinics to assist patients in finding |
| 88 6 | infrastructure, statewide coordination, provider recruitment, | an appropriate medical home. |
| 88 7 | service delivery, and provision of assistance to patients in | |
| 88 8 | determining an appropriate medical home: | DETAIL: Maintains the current allocation level. |
| 88 9 | \$ 150,000 | |
| 88 10 | (7) For continuation of the safety net provider patient | Allocates \$400,000 for the safety net provider patient access to |
| 88 11 | access to specialty health care initiative as described in | specialty care initiative. |
| 88 12 | 2007 Iowa Acts, ch. 218, section 109: | |
| 88 13 | \$ 400,000 | DETAIL: Maintains the current allocation level. |

88 14 (8) For continuation of the pharmaceutical infrastructure
 88 15 for safety net providers as described in 2007 Iowa Acts, ch.
 88 16 218, section 108:

88 17 \$ 400,000

88 18 The Iowa collaborative safety net provider network may
 88 19 continue to distribute funds allocated pursuant to this
 88 20 paragraph "d" through existing contracts or renewal of
 88 21 existing contracts.

Allocates \$400,000 for the pharmaceutical infrastructure for safety net providers.

DETAIL: Maintains the current allocation level.

88 22 e. Of the funds appropriated in this subsection, \$650,000
 88 23 shall be used for the incubation grant program to community
 88 24 health centers that receive a total score of 85 based on the
 88 25 evaluation criteria of the health resources and services
 88 26 administration of the United States department of health and
 88 27 human services.

Allocates \$650,000 for the Incubation Grant Program for Community Health Centers.

DETAIL: Maintains the current allocation level.

88 28 f. Of the funds appropriated in this subsection, \$75,000
 88 29 shall be used for implementation of the recommendations of the
 88 30 direct care worker task force established pursuant to 2005
 88 31 Iowa Acts, chapter 88, based upon the report submitted to the
 88 32 governor and the general assembly in December 2006.

Allocates \$75,000 for the implementation of the recommendations of the Direct Care Worker Task Force.

DETAIL: Maintains the current allocation level.

88 33 g. Of the funds appropriated in this subsection, \$140,000
 88 34 shall be used for allocation to an independent statewide
 88 35 direct care worker association for education, outreach,
 89 1 leadership development, mentoring, and other initiatives
 89 2 intended to enhance the recruitment and retention of direct
 89 3 care workers in health and long-term care.

Allocates \$140,000 to enhance the recruitment and retention of direct care workers in health and long-term care.

DETAIL: Maintains the current allocation level.

89 4 h. The department shall utilize one of the full-time
 89 5 equivalent positions authorized in this subsection for
 89 6 administration of the activities related to the Iowa
 89 7 collaborative safety net provider network.

Requires the Department to utilize 1.00 FTE position for administration of activities related to the Iowa Collaborative Safety Net Provider Network.

89 8 i. The department shall utilize one of the full-time

Requires the Department to utilize 1.00 FTE position for

89 9 equivalent positions authorized in this subsection for
 89 10 administration of the voluntary health care provider program
 89 11 pursuant to section 135.24.

administration of the Voluntary Health Care Provider Program.

89 12 Sec. 60. DEPARTMENT OF HUMAN SERVICES. In addition to any
 89 13 other appropriation made in this Act for the purposes
 89 14 designated, there is appropriated from the health care trust
 89 15 fund created in section 453A.35A to the department of human
 89 16 services for the fiscal year beginning July 1, 2008, and
 89 17 ending June 30, 2009, the following amounts, or so much
 89 18 thereof as is necessary, for the purposes designated:

89 19 1. MEDICAL ASSISTANCE

89 20 \$113,690,856

Health Care Trust Fund appropriation to the Medicaid Program.

DETAIL: This is an increase of \$14,172,760 compared to the estimated FY 2008 appropriation.

89 21 Of the funds appropriated in this subsection, \$250,000
 89 22 shall be used for the grant to the Iowa healthcare
 89 23 collaborative as described in section 135.40.

Allocates \$250,000 for the Iowa Healthcare Collaborative.

DETAIL: Maintains the current level of HCTF support. An additional \$250,000 is allocated from the General Fund for this purpose under the Medical Assistance appropriation.

89 24 2. MH/MR/DD ALLOWED GROWTH FACTOR

89 25 \$ 7,592,099

Health Care Trust Fund appropriation for the Mental Health, Mental Retardation, and Developmental Disabilities Growth Factor.

DETAIL: Maintains the current level of HCTF support.

89 26 The funds appropriated in this subsection shall be credited
 89 27 to the property tax relief fund created in section 426B.1.

Requires the \$7,592,099 appropriation from the Health Care Trust Fund to be credited to the Property Tax Relief Fund. The same amount is reappropriated from the Property Tax Relief Fund to permit the merging of multiple funding sources and a single distribution methodology for mental health allowed growth to counties.

89 28 Sec. 61. BEHAVIORAL HEALTH == DEVELOPING WORKFORCE

Requires the Department of Public Health to continue the

89 29 COMPETENCIES.

89 30 1. The department of public health shall continue during
89 31 the fiscal year beginning July 1, 2008, the collaborative work
89 32 with the departments of corrections, education, elder affairs,
89 33 and human services, and other state agencies, commenced
89 34 pursuant to 2007 Iowa Acts, ch. 218, section 111, to enhance
89 35 the workforce competencies of professional and direct care
90 1 staff who provide behavioral health services, including but
90 2 not limited to all of the following:
90 3 a. Treatment of persons with co-occurring mental health
90 4 and substance use disorders.
90 5 b. Treatment of children with mental health or substance
90 6 use disorders.
90 7 c. Treatment of persons with serious mental illness.
90 8 d. Treatment of veterans of United States or Iowa military
90 9 service with mental health or substance use disorders.
90 10 e. Treatment of older adults with mental health or
90 11 substance use disorders.
90 12 2. The department's collaborative effort shall utilize the
90 13 findings of the substance abuse and mental health services
90 14 administration of the United States department of health and
90 15 human services and materials developed by the Annapolis
90 16 coalition on the behavioral health workforce in planning and
90 17 implementing efforts to enhance the competency-based training
90 18 of the state's behavioral health workforce.

collaboration with various other State agencies in FY 2009 to improve the workforce skills of professional and direct care staff that provide behavioral health services. Requires the use of findings from the U.S. Department of Health and Human Services, and the Annapolis Coalition to implement efforts to improve skills.

90 19 DIVISION V

90 20 APPROPRIATION=RELATED CHANGES == EFFECTIVE DATE

90 21 Sec. 62. Section 35D.18, subsection 5, Code 2007, is
90 22 amended to read as follows:
90 23 5. Notwithstanding section 8.33, ~~up to five hundred~~
90 24 ~~thousand dollars of any balance in the Iowa veterans home~~
90 25 ~~revenue~~ annual appropriation or revenues that remain remains
90 26 unencumbered or unobligated at the close of the fiscal year
90 27 shall not revert but shall remain available for expenditure

CODE: Removes the \$500,000 annual carryforward limit for the Iowa Veterans Home. This Section takes effect on enactment to allow additional carryforward funds for the general operating budget of the Home in FY 2009. The estimated FY 2008 carryforward is \$3,000,000.

90 28 for specified purposes of the Iowa veterans home until the
90 29 close of the succeeding fiscal year.

90 30 JUVENILE DETENTION HOME FUND

90 31 Sec. 63. HEALTHY IOWANS TOBACCO TRUST. There is
90 32 appropriated from the healthy Iowans tobacco trust created in
90 33 section 12.65, to the department of human services for the
90 34 fiscal year beginning July 1, 2007, and ending June 30, 2008,
90 35 for deposit in the juvenile detention home fund created in
91 1 section 232.142:
91 2 \$ 1,000,000

Healthy Iowans Tobacco Trust FY 2008 supplemental appropriation to the Juvenile Detention Fund.

DETAIL: This Section takes effect on enactment.

91 3 CHILD WELFARE DECATEGORIZATION
91 4 FY 2006=2007 NONREVERSION

91 5 Sec. 64. 2006 Iowa Acts, chapter 1184, section 17,
91 6 subsection 4, is amended by adding the following new
91 7 unnumbered paragraph:
91 8 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 232.188,
91 9 subsection 5, moneys from the allocations made in this
91 10 subsection or made from any other source for the
91 11 decategorization of child welfare and juvenile justice funding
91 12 initiative under section 232.188, that are designated as
91 13 carryover funding and that remain unencumbered or unobligated
91 14 at the close of the fiscal year beginning July 1, 2007, shall
91 15 not revert but shall remain available for expenditure until
91 16 the close of the succeeding fiscal year to be used for the
91 17 purposes of continuing the initiative in the succeeding fiscal
91 18 year.

CODE: Permits carryforward of FY 2007 child welfare funds that were set aside for use in FY 2008 for decategorization.

DETAIL: These funds would revert to the State General Fund at the end of FY 2008 without this change. Of the funds, \$3,605,000 will replace the annual appropriation from the child welfare appropriation for FY 2009. The remaining funds of an unknown amount will be retained with the decategorization programs at the local level. This Section takes effective on enactment.

91 19 VIETNAM CONFLICT VETERANS BONUS FUND

91 20 Sec. 65. 2007 Iowa Acts, chapter 176, section 3, is

CODE: Permits the carryforward of the FY 2008 funds remaining

91 21 amended by adding the following new unnumbered paragraph:
 91 22 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33,
 91 23 moneys appropriated in this section that remain unencumbered
 91 24 or unobligated at the close of the fiscal year shall not
 91 25 revert but shall remain available for expenditure for the
 91 26 purposes designated until the close of the succeeding fiscal
 91 27 year.

from the Vietnam Conflict Veterans Bonus Fund.

DETAIL: The estimated carryforward is \$250,000. This Section takes effect on enactment.

91 28 INJURED VETERANS GRANT PROGRAM

91 29 Sec. 66. 2006 Iowa Acts, chapter 1184, section 5, as
 91 30 enacted by 2007 Iowa Acts, chapter 203, section 1, subsection
 91 31 4, unnumbered paragraph 2, is amended to read as follows:
 91 32 Notwithstanding section 8.33, moneys appropriated in this
 91 33 subsection that remain unencumbered or unobligated at the
 91 34 close of the fiscal year shall not revert but shall remain
 91 35 available for expenditure for the purposes designated until
 92 1 the close of the ~~succeeding~~ fiscal year beginning July 1,
 92 2 2008 .

CODE: Permits the carryforward of funds remaining in the Injured Veterans Grant Program to FY 2009.

DETAIL: This appropriation is from FY 2007 as amended in FY 2008. The estimated FY 2008 carryforward is \$1,000,000. This Section takes effect on enactment.

92 3 DEPARTMENT OF ELDER AFFAIRS == LIVABLE 92 4 COMMUNITY INITIATIVE

92 5 Sec. 67. 2007 Iowa Acts, chapter 215, section 32, is
 92 6 amended by adding the following new subsection:
 92 7 NEW SUBSECTION . 4. Notwithstanding section 8.33, moneys
 92 8 appropriated in this section that remain unencumbered or
 92 9 unobligated at the close of the fiscal year shall not revert
 92 10 but shall remain available for expenditure for the purposes
 92 11 designated until the close of the succeeding fiscal year.

CODE: Permits the carryforward of the FY 2008 appropriation to the Department of Elder Affairs for the Livable Community Initiative to FY 2009.

DETAIL: It is estimated that \$50,000 will carry forward from FY 2008 to FY 2009. This Section takes effect on enactment.

92 12 CHRONIC CONDITIONS == PKU

92 13 Sec. 68. 2007 Iowa Acts, chapter 218, section 2,

CODE: Permits the carryforward of FY 2008 funds to FY 2009 for the

92 14 subsection 3, unnumbered paragraph 2, is amended to read as
 92 15 follows:
 92 16 Of the funds appropriated in this subsection, \$100,000
 92 17 shall be used as additional funding to provide grants to
 92 18 individual patients who have phenylketonuria (PKU) to assist
 92 19 with the costs of necessary special foods. Notwithstanding
 92 20 section 8.33, moneys appropriated in this subsection and
 92 21 allocated in this paragraph that remain unencumbered or
 92 22 unobligated at the close of the fiscal year shall not revert
 92 23 but shall remain available for expenditure for the purposes
 92 24 designated until the close of the succeeding fiscal year.

Phenylketonuria (PKU) Program.

DETAIL: It is estimated that \$100,000 of the funds will carry forward.

92 25 PUBLIC PROTECTION == ANTIVIRAL STOCKPILE

92 26 Sec. 69. 2007 Iowa Acts, chapter 218, section 2,
 92 27 subsection 8, paragraph d, is amended to read as follows:
 92 28 d. Of the funds appropriated in this subsection, \$150,000
 92 29 shall be used for management of the antiviral stockpile.
 92 30 Notwithstanding section 8.33, moneys appropriated in this
 92 31 subsection and allocated in this paragraph that remain
 92 32 unencumbered or unobligated at the close of the fiscal year
 92 33 shall not revert but shall remain available for expenditure
 92 34 for the purposes designated until the close of the succeeding
 92 35 fiscal year.

CODE: Permits the carryforward of FY 2008 funds from the DPH antiviral stockpile costs.

DETAIL: The estimated carryforward is \$37,145. This Section takes effect on enactment.

93 1 DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

93 2 Sec. 70. 2007 Iowa Acts, chapter 218, section 4,
 93 3 subsection 1, is amended by adding the following new
 93 4 unnumbered paragraph:
 93 5 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33, up
 93 6 to \$100,000 of the moneys appropriated in this subsection that
 93 7 remain unencumbered or unobligated at the close of the fiscal
 93 8 year shall not revert but shall remain available for
 93 9 expenditure for the purposes designated in this paragraph

CODE: Permits carryforward of the funds remaining from the FY 2008 appropriation to the Department of Veterans Affairs to be used for the Iowa Cemetery signage and other necessary expenses.

DETAIL: It is estimated that \$100,000 will carry forward to FY 2009. The cemetery signage is expected to receive \$40,000 and \$60,000 is expected to be expended for various building improvements, technology, and administrative costs. This Section takes effect on enactment.

93 10 until the close of the succeeding fiscal year. The purposes
 93 11 shall include the sign for the veterans cemetery and other
 93 12 necessary expenses.

93 13 COUNTY GRANT PROGRAM

93 14 Sec. 71. 2007 Iowa Acts, chapter 218, section 4,
 93 15 subsection 4, unnumbered paragraph 3, is amended to read as
 93 16 follows:

93 17 Notwithstanding section 8.33, moneys appropriated in this
 93 18 subsection that remain unencumbered or unobligated at the
 93 19 close of the fiscal year shall not revert to the fund from
 93 20 which appropriated but shall be credited to the veterans trust
 93 21 fund but shall remain available for expenditure for the
 93 22 purposes designated until the close of the succeeding fiscal
 93 23 year .

CODE: Permits carryforward of FY 2008 funds for the County Veterans Grant Program.

DETAIL: It is estimated that \$200,000 will carry forward to FY 2009. This Section takes effect on enactment.

93 24 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
 93 25 BLOCK GRANT == CHILD CARE

93 26 Sec. 72. 2007 Iowa Acts, chapter 218, section 7,
 93 27 subsections 1 and 7, are amended to read as follows:

93 28 1. To be credited to the family investment program account
 93 29 and used for assistance under the family investment program
 93 30 under chapter 239B:

93 31 \$ ~~36,890,944~~
 93 32 28,390,944

CODE: Decreases the FY 2008 appropriation from TANF to the Family Investment Program.

DETAIL: This is a decrease of \$8,500,000 from the FY 2008 TANF appropriation.

93 33 7. For state child care assistance:
 93 34 \$ ~~18,986,177~~
 93 35 27,486,177

94 1 a. Of the funds appropriated in this subsection, up to
 94 2 \$18,986,177 shall be transferred to the child care and
 94 3 development block grant appropriation made for the federal

CODE: FY 2008 TANF supplemental appropriation of \$8,500,000 for child care assistance.

DETAIL: This increase of FY 2008 TANF monies allows the Department to utilize an additional \$8,500,000 for direct child care assistance for FIP families.

94 4 fiscal year beginning October 1, 2007, and ending September
94 5 30, 2008, in 2007 Iowa Acts, ch. 204, section 14. Of this
94 6 amount, \$200,000 shall be used for provision of educational
94 7 opportunities to registered child care home providers in order
94 8 to improve services and programs offered by this category of
94 9 providers and to increase the number of providers. The
94 10 department may contract with institutions of higher education
94 11 or child care resource and referral centers to provide the
94 12 educational opportunities. Allowable administrative costs
94 13 under the contracts shall not exceed 5 percent. The
94 14 application for a grant shall not exceed two pages in length.
94 15 b. ~~The~~ Any funds appropriated in this subsection ~~shall be~~
94 16 ~~transferred to the child care and development block grant~~
94 17 ~~appropriation~~ that remain unallocated shall be used for state
94 18 child care assistance payments for individuals enrolled in the
94 19 family investment program who are employed .

94 20 FAMILY INVESTMENT PROGRAM ACCOUNT
94 21 FAMILY DEVELOPMENT AND SELF-SUFFICIENCY GRANT PROGRAM

94 22 Sec. 73. 2007 Iowa Acts, chapter 218, section 8,
94 23 subsection 4, paragraph b, is amended by adding the following
94 24 new subparagraph:
94 25 NEW SUBPARAGRAPH . (7) Notwithstanding section 8.33,
94 26 moneys allocated in this lettered paragraph that remain
94 27 unencumbered or unobligated at the close of the fiscal year
94 28 shall not revert but shall remain available for expenditure
94 29 for the purposes designated until the close of the succeeding
94 30 fiscal year.

CODE: Permits the carryforward of FY 2008 Family Investment Program Account funding.

94 31 FAMILY INVESTMENT PROGRAM == TRANSITIONAL BENEFITS

94 32 Sec. 74. 2007 Iowa Acts, chapter 218, section 8,
94 33 subsection 4, paragraph d, is amended to read as follows:
94 34 d. ~~For developing and implementing a new program to~~

CODE: Eliminates the FY 2008 TANF appropriation for the Transitional Benefit Program in the Family Investment Program (FIP).

94 35 ~~provide transitional benefits to families with members who are~~
 95 1 ~~employed at the time the family leaves the family investment~~
 95 2 ~~program in accordance with section 239B.11A, as enacted by~~
 95 3 ~~this Act:~~
 95 4 ~~..... \$ 2,000,000~~
 95 5 ~~The department may adopt emergency rules to implement the~~
 95 6 ~~new program.~~

DETAIL: The DHS did not implement this Program in FY 2008. This Section takes effect on enactment.

95 7 CHILDREN'S HEALTH INSURANCE PROGRAM

95 8 Sec. 75. 2007 Iowa Acts, chapter 218, section 15, is
 95 9 amended by adding the following new subsection:
 95 10 NEW SUBSECTION . 4. Notwithstanding sections 8.33 and
 95 11 514I.11, up to \$441,000 of the moneys appropriated in this
 95 12 section that remain unencumbered or unobligated at the close
 95 13 of the fiscal year shall not revert to any other fund but
 95 14 shall instead be transferred to the appropriation made in
 95 15 section 16 of this Act for child care assistance to be used
 95 16 for the state child care assistance program until the close of
 95 17 the succeeding fiscal year.

CODE: Requires nonreversion of \$441,000 of the State Children's Health Insurance Program appropriation for transfer to the Child Care Assistance appropriation.

95 18 CHILD AND FAMILY SERVICES
 95 19 TRANSFER FOR CHILD CARE

95 20 Sec. 76. 2007 Iowa Acts, chapter 218, section 18,
 95 21 subsection 3, is amended to read as follows:
 95 22 3. The department may transfer funds appropriated in this
 95 23 section as necessary to pay the nonfederal costs of services
 95 24 reimbursed under the medical assistance program , the state
 95 25 child care assistance program, or the family investment
 95 26 program which are provided to children who would otherwise
 95 27 receive services paid under the appropriation in this section.
 95 28 The department may transfer funds appropriated in this section
 95 29 to the appropriations in this division of this Act for general
 95 30 administration and for field operations for resources

CODE: Permits the DHS to transfer funds from the FY 2008 Child and Family Services appropriation to the State Child Care Assistance Program.

95 31 necessary to implement and operate the services funded in this
95 32 section.

95 33 CHILD AND FAMILY SERVICES FY 2007=2008

95 34 Sec. 77. 2007 Iowa Acts, chapter 218, section 18, is
95 35 amended by adding the following new subsection:
96 1 NEW SUBSECTION . 5A. Notwithstanding sections 8.33 and
96 2 232.188, up to \$6,600,000 of the funds appropriated in this
96 3 section that could otherwise be designated as carryover
96 4 funding under section 232.188 and that would remain
96 5 unencumbered or unobligated at the close of the fiscal year
96 6 shall instead be transferred to the appropriation made in
96 7 section 16 of this Act for child care assistance to be used
96 8 for the state child care assistance program until the close of
96 9 the succeeding fiscal year.

CODE: Permits the DHS to carryforward up to \$6,600,000 from one-time funds remaining in child welfare resulting from the payment methodology redesign in FY 2008 to be used for the Child Care Subsidy Program in FY 2009.

DETAIL: This Section takes effect on enactment.

96 10 CHILD AND FAMILY SERVICES
96 11 PROTECTIVE CHILD CARE

96 12 Sec. 78. 2007 Iowa Acts, chapter 218, section 18,
96 13 subsection 9, is amended to read as follows:
96 14 9. Of the funds appropriated in this section, at least
96 15 \$3,696,285 shall be used for protective child care assistance.

CODE: Permits the DHS to expend more than the budgeted \$3,696,285 of FY 2008 Child and Family Services allocation on protective child care assistance.

96 16 JUVENILE DETENTION FUNDING

96 17 Sec. 79. 2007 Iowa Acts, chapter 218, section 20, is
96 18 amended to read as follows:
96 19 SEC. 20. JUVENILE DETENTION HOME FUND. Moneys deposited
96 20 in the juvenile detention home fund created in section 232.142
96 21 during the fiscal year beginning July 1, 2007, and ending June
96 22 30, 2008, are appropriated to the department of human services
96 23 for the fiscal year beginning July 1, 2007, and ending June

CODE: Changes the distribution of the FY 2008 Juvenile Detention Home Fund allocations as follows:

- Increases the Juvenile Detention Center initial allocation by \$2,000,000 by changing the allocation from 10.00% of the FY 2007 expenditures to a specific amount. Eliminates the allocation that the Centers receive after all other allocations are made.

96 24 30, 2008, for distribution as follows:

96 25 1. ~~An~~ The following amount which is equal to more than 10

96 26 percent of the costs of the establishment, improvement,

96 27 operation, and maintenance of county or multicounty juvenile

96 28 detention homes in the fiscal year beginning July 1, 2006.

96 29 Moneys appropriated for distribution in accordance with this

96 30 subsection shall be allocated among eligible detention homes,

96 31 prorated on the basis of an eligible detention home's

96 32 proportion of the costs of all eligible detention homes in the

96 33 fiscal year beginning July 1, 2006. ~~Notwithstanding section~~

96 34 ~~232.142, subsection 3, the financial aid payable by the state~~

96 35 ~~under that provision for the fiscal year beginning July 1,~~

97 1 ~~2007, shall be limited to the amount appropriated for the~~

97 2 ~~purposes of this subsection. ;~~

97 3 \$ 3,764,041

97 4 2. For renewal of a grant to a county with a population

97 5 between 189,000 and 196,000 in the latest preceding certified

97 6 federal census for implementation of the county's runaway

97 7 treatment plan under section 232.195:

97 8 \$ 80,000

97 9 3. For continuation and expansion of the community

97 10 partnership for child protection sites:

97 11 \$ 418,000

97 12 4. For continuation of the department's minority youth and

97 13 family projects under the redesign of the child welfare

97 14 system:

97 15 \$ 375,000

97 16 5. For funding of the state match for the federal

97 17 substance abuse and mental health services administration

97 18 (SAMHSA) system of care grant:

97 19 \$ 400,000

97 20 300,000

97 21 ~~6. For transfer to the appropriation made in this Act for~~

97 22 ~~child and family services to supplement the statewide~~

97 23 ~~expenditure target amount under section 232.143 designated in~~

97 24 ~~the appropriation made in this Act for child and family~~

97 25 ~~services:~~

97 26 \$ 1,324,000

- Decreases the allocation for the State share of the federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant by \$100,000.
- Eliminates the \$1,324,000 allocation for group care and replaces it with the remaining unexpended amount in the Fund. It is estimated that \$797,027 will remain for this purpose.
- Permits the DHS to carryforward funds that may not be needed for group care in FY 2008 from these monies into FY 2009 for the Preparation for Adult Living (PAL) Program.
- Eliminates the initial allocation in FY 2008 for the family training for nonlicensed relatives.

This Section takes effect on enactment.

97 27 ~~7. For training of nonlicensed relatives caring for~~
 97 28 ~~children in the child welfare system:~~
 97 29 ~~..... \$ 276,000~~
 97 30 ~~8- 6. The remainder for additional allocations to county~~
 97 31 ~~or multicounty juvenile detention homes, in accordance with~~
 97 32 ~~the distribution requirements of subsection 4 shall be~~
 97 33 ~~credited to the appropriation made in section 18 of this Act~~
 97 34 ~~for child and family services to supplement the statewide~~
 97 35 ~~expenditure target amount under section 232.143 designated in~~
 98 1 ~~that appropriation . Notwithstanding section 8.33, moneys~~
 98 2 ~~credited pursuant to this subsection that remain unencumbered~~
 98 3 ~~or unobligated at the close of the fiscal year shall not~~
 98 4 ~~revert but shall remain available for expenditure for caseload~~
 98 5 ~~growth in the preparation for adult living program pursuant to~~
 98 6 ~~section 234.46 until the close of the succeeding fiscal year.~~

98 7 SEXUALLY VIOLENT PREDATORS

98 8 Sec. 80. 2007 Iowa Acts, chapter 218, section 27, is
 98 9 amended by adding the following new subsection:
 98 10 NEW SUBSECTION . 3. Notwithstanding section 8.33, moneys
 98 11 appropriated in this section that remain unencumbered or
 98 12 unobligated at the close of the fiscal year shall not revert
 98 13 but shall remain available for expenditure for the purposes
 98 14 designated until the close of the succeeding fiscal year.

CODE: Permits the carryforward of all remaining FY 2008 funds for the DHS Sexually Violent Predator Program to FY 2009 for the Program.

DETAIL: It is estimated that \$100,000 will carryforward into FY 2009. The Section takes effect on enactment.

98 15 DEPARTMENT OF HUMAN SERVICES FIELD OPERATIONS

98 16 Sec. 81. 2007 Iowa Acts, chapter 218, section 28, is
 98 17 amended by adding the following new subsection:
 98 18 NEW SUBSECTION . 4. Notwithstanding section 8.33, up to
 98 19 \$1,500,000 of the moneys appropriated in this section that
 98 20 remain unencumbered or unobligated at the close of the fiscal
 98 21 year shall not revert but shall remain available for
 98 22 expenditure for the purposes designated until the close of the

CODE: Permits a carryforward of up to \$1,500,000 from the FY 2008 DHS Field Operations appropriation to FY 2009 for Field Operations.

DETAIL: This Section takes effect on enactment.

98 23 succeeding fiscal year.

98 24 DEPARTMENT OF HUMAN SERVICES GENERAL ADMINISTRATION

98 25 Sec. 82. 2007 Iowa Acts, chapter 218, section 29, is
98 26 amended by adding the following new subsections:

98 27 NEW SUBSECTION . 4. Of the funds appropriated in this
98 28 section, \$1,000,000 is transferred to the juvenile detention
98 29 home fund created in section 232.142.

CODE: Transfers \$1,000,000 of the FY 2008 DHS General
Administration appropriation to the Juvenile Detention Home Fund.

DETAIL: This Section takes effect on enactment.

98 30 NEW SUBSECTION . 5. Notwithstanding section 8.33, up to
98 31 \$110,000 of the moneys appropriated in this section that
98 32 remain unencumbered or unobligated at the close of the fiscal
98 33 year shall not revert but shall remain available for
98 34 expenditure for the purposes designated until the close of the
98 35 succeeding fiscal year.

CODE: Permits carryforward of up to \$110,000 from the DHS FY
2008 General Administration appropriation to FY 2009 for General
Administration.

DETAIL: This Section takes effect on enactment.

99 1 ADJUSTMENT OF PHARMACY DISPENSING FEE

99 2 Sec. 83. 2007 Iowa Acts, chapter 218, section 31,
99 3 subsection 1, paragraph b, is amended to read as follows:
99 4 b. (1) For the fiscal year beginning July 1, 2007, the
99 5 department shall reimburse pharmacy dispensing fees using a
99 6 single rate of \$4.52 per prescription, or the pharmacy's usual
99 7 and customary fee, whichever is lower.

CODE: Eliminates a requirement that the Department of Human
Services adjust the pharmacy dispensing fee to compensate for
losses resulting from changes to the Average Manufacturer Price
directed by the Federal Deficit Reduction Act of 2005.

DETAIL: This Section takes effect on enactment.

99 8 ~~(2) Beginning July 1, 2007, the department of human~~
99 9 ~~services shall adopt rules, pursuant to chapter 17A, to~~
99 10 ~~provide for the adjustment of the pharmacy dispensing fee to~~
99 11 ~~compensate for any reduction in the drug product cost~~
99 12 ~~reimbursement resulting from implementation of the average~~
99 13 ~~manufacturer price reimbursement standards for multisource~~
99 14 ~~generic drug products imposed pursuant to the federal Deficit~~

99 15 ~~Reduction Act of 2005, Pub. L. No. 109-171. In implementing~~
 99 16 ~~the reimbursement, the department may adjust the reimbursement~~
 99 17 ~~amount as necessary to provide reimbursement within the state~~
 99 18 ~~funding appropriated for the fiscal year beginning July 1,~~
 99 19 ~~2007, and ending June 30, 2008, for this purpose. The~~
 99 20 ~~department shall submit a medical assistance state plan~~
 99 21 ~~amendment to the centers for Medicare and Medicaid services of~~
 99 22 ~~the United States department of health and human services as~~
 99 23 ~~necessary to implement this subparagraph (2).~~

99 24 PHARMACEUTICAL SETTLEMENT ACCOUNT

99 25 Sec. 84. 2007 Iowa Acts, chapter 218, section 72, is
 99 26 amended to read as follows:
 99 27 SEC. 72. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
 99 28 appropriated from the pharmaceutical settlement account
 99 29 created in section 249A.33 to the department of human services
 99 30 for the fiscal year beginning July 1, 2007, and ending June
 99 31 30, 2008, the following amount, or so much thereof as is
 99 32 necessary, to be used for the purpose designated:
 99 33 To supplement the appropriations made for medical contracts
 99 34 under the medical assistance program:
 99 35 \$ 1,323,833

100 1 1,349,833
 100 2 Of the funds appropriated in this section, notwithstanding
 100 3 section 249A.33, \$26,000 is transferred to the appropriation
 100 4 made in this Act from the general fund of the state to the
 100 5 department of public health for chronic conditions to be used
 100 6 for the center for congenital and inherited disorders
 100 7 established pursuant to section 136A.3.

100 8 IOWACARE COSTS

100 9 Sec. 85. 2007 Iowa Acts, chapter 218, section 74, is
 100 10 amended by adding the following new subsection:

CODE: Supplemental FY 2008 Pharmaceutical Settlement Account appropriation for medical contract costs of \$26,000 for the Center for Congenital and Inherited Disorders.

DETAIL: Senate File 2417 (Healthy Iowans Tobacco Trust Bill) eliminates the FY 2008 appropriation for the Center for Congenital and Inherited Disorders and this Pharmaceutical Settlement Account appropriation replaces it. This Section takes effect on enactment.

CODE: Health Care Transformation Account supplemental FY 2008 appropriation of \$230,000 for the IowaCare Program at Polk County Broadlawns Medical Center.

100 11 NEW SUBSECTION . 8. For payment to the publicly owned
 100 12 acute care teaching hospital located in a county with a
 100 13 population of over 350,000 included in the expansion
 100 14 population provider network pursuant to chapter 249J:
 100 15 \$ 230,000

100 16 Disbursements under this subsection shall be made monthly.
 100 17 The hospital shall submit a report following the close of the
 100 18 fiscal year regarding use of the funds appropriated in this
 100 19 subsection to the persons specified in this Act to receive
 100 20 reports.

Requires disbursements to Broadlawns Medical Center to be made monthly. The Center is to submit a report following the close of the fiscal year regarding use of the funds appropriated in this Section.

100 21 TRANSFER OF BRAIN INJURY FUNDING TO MEDICAL ASSISTANCE

100 22 Sec. 86. 2006 Iowa Acts, chapter 1185, section 1,
 100 23 subsection 2, as amended by 2007 Iowa Acts, chapter 218,
 100 24 section 83, subsection 2, paragraph c, is amended by adding
 100 25 the following new unnumbered paragraph:
 100 26 NEW UNNUMBERED PARAGRAPH . Notwithstanding any provision of
 100 27 law to the contrary, moneys that were transferred to the
 100 28 department of public health pursuant to this paragraph "c"
 100 29 that remain unencumbered or unobligated at the close of the
 100 30 fiscal year shall not revert but shall instead be transferred
 100 31 to the department of human services to the appropriation made
 100 32 for the medical assistance program in 2007 Iowa Acts, chapter
 100 33 218, section 11. Notwithstanding section 8.33, the
 100 34 transferred moneys shall not revert at the close of the fiscal
 100 35 year but shall instead remain available to be used for the
 101 1 medical assistance program in the succeeding fiscal year.

CODE: Transfers the remaining FY 2008 Brain Injury Program funds from DPH to the DHS Medical Assistance appropriation.

DETAIL: An estimated \$2,666,378 is expected to be transferred. This Section takes effect on enactment.

101 2 HEALTH CARE TRUST FUND 101 3 DEPARTMENT OF PUBLIC HEALTH == ADDICTIVE DISORDERS

101 4 Sec. 87. 2007 Iowa Acts, chapter 218, section 97,

CODE: Permits FY 2008 Health Care Trust Fund Addictive Disorder

101 5 subsection 1, is amended by adding the following new
101 6 paragraph:
101 7 NEW PARAGRAPH . d. Notwithstanding section 8.33, moneys
101 8 appropriated and allocated in this subsection that remain
101 9 unencumbered or unobligated at the close of the fiscal year
101 10 shall not revert but shall remain available for expenditure
101 11 for the purposes designated until the close of the succeeding
101 12 fiscal year.

funds to carry over to FY 2009.

DETAIL: It is estimated that \$34,000 from the Cultural Competency Substance Abuse Treatment funds will carry forward to FY 2009. This Section takes effect on enactment.

101 13 HEALTH CARE TRUST FUND == DEPARTMENT OF
101 14 PUBLIC HEALTH == HEALTHY CHILDREN AND FAMILIES

101 15 Sec. 88. 2007 Iowa Acts, chapter 218, section 97,
101 16 subsection 2, is amended by adding the following new
101 17 paragraph:
101 18 NEW PARAGRAPH . g. Notwithstanding section 8.33, moneys
101 19 appropriated and allocated in this subsection that remain
101 20 unencumbered or unobligated at the close of the fiscal year
101 21 shall not revert but shall remain available for expenditure
101 22 for the purposes designated until the close of the succeeding
101 23 fiscal year.

CODE: Permits Health Care Trust Funds for the DPH Healthy Children and Families budget to carry forward to FY 2009.

DETAIL: This is estimated to be \$19,800 from the FY 2008 Tissue Bank allocation. This Section takes effect on enactment.

101 24 HEALTH CARE TRUST FUND == DEPARTMENT OF
101 25 PUBLIC HEALTH == CHRONIC CONDITIONS

101 26 Sec. 89. 2007 Iowa Acts, chapter 218, section 97,
101 27 subsection 3, is amended by adding the following new
101 28 paragraph:
101 29 NEW PARAGRAPH . dd. Notwithstanding section 8.33, moneys
101 30 appropriated and allocated in this subsection that remain
101 31 unencumbered or unobligated at the close of the fiscal year
101 32 shall not revert but shall remain available for expenditure
101 33 for the purposes designated until the close of the succeeding
101 34 fiscal year.

CODE: Permits the FY 2008 DPH Health Care Trust Fund Chronic Conditions appropriation to carry forward to FY 2009.

DETAIL: It is estimated that \$10,000 from the Iowa Consortium for Comprehensive Cancer Control will carry forward to FY 2009.

101 35 HEALTH CARE TRUST FUND == DEPARTMENT OF
102 1 HUMAN SERVICES == STATE CHILDREN'S
102 2 HEALTH INSURANCE PROGRAM

102 3 Sec. 90. 2007 Iowa Acts, chapter 218, section 98,
102 4 subsection 2, is amended by adding the following new
102 5 paragraph:
102 6 NEW PARAGRAPH . d. Notwithstanding section 8.33, moneys
102 7 appropriated in this subsection that are allocated for
102 8 outreach and remain unencumbered or unobligated at the close
102 9 of the fiscal year, shall not revert but shall remain
102 10 available for expenditure for the purposes designated until
102 11 the close of the succeeding fiscal year.

CODE: Permits the carryforward of any FY 2008 outreach dollars appropriated to the Medicaid Program to FY 2009.

DETAIL: The media campaign did not begin until January 2008. It is estimated that there will be up to \$300,000 to carry forward.

102 12 Sec. 91. Section 239B.11A, Code Supplement 2007, is
102 13 repealed.

CODE: Repeals the Transitional Benefit Program in the Family Investment Program (FIP).

DETAIL: The FY 2008 funding is eliminated for this Program in this Bill.

102 14 Sec. 92. EFFECTIVE DATE. This division of this Act, being
102 15 deemed of immediate importance, takes effect upon enactment.

Specifies that this Division for FY 2008 carryforwards takes effect on enactment.

102 16 DIVISION VI
102 17 PRIOR YEAR APPROPRIATION CHANGES
102 18

102 19 Sec. 93. 2007 Iowa Acts, chapter 214, section 9,
102 20 subsection 2, paragraph b, is amended to read as follows:
102 21 b. Psychiatric hospital
102 22 For salaries, support, maintenance, equipment,
102 23 miscellaneous purposes, for the care, treatment, and
102 24 maintenance of committed and voluntary public patients, and
102 25 for not more than the following full-time equivalent

CODE: Eliminates the FY 2008 General Fund appropriation to the Psychiatric Hospital at the University of Iowa.

DETAIL: The funding will be replaced with an allocation from the IowaCare appropriation.

102 26 positions:
 102 27 \$ 7,043,056
 102 28 0
 102 29 FTEs 269.65

102 30 Sec. 94. 2007 Iowa Acts, chapter 215, section 15,
 102 31 unnumbered paragraph 1, is amended to read as follows:
 102 32 There is appropriated from the general fund of the state to
 102 33 the salary adjustment fund for distribution by the department
 102 34 of management to the various state departments, boards,
 102 35 commissions, councils, and agencies, including the state board
 103 1 of regents except as otherwise provided, and the judicial
 103 2 branch, for the fiscal year beginning July 1, 2007, and ending
 103 3 June 30, 2008, the amount of ~~\$106,848,094~~ \$106,569,196 , or so
 103 4 much thereof as may be necessary, to fully fund annual pay
 103 5 adjustments, expense reimbursements, and related benefits
 103 6 implemented pursuant to the following:

CODE: Adjusts the FY 2008 salary allocation language to eliminate funding for the Psychiatric Hospital at the University of Iowa. The salary funding for the Hospital will be allocated from the FY 2008 Medicaid appropriation.

103 7 Sec. 95. 2007 Iowa Acts, chapter 215, section 15, is
 103 8 amended by adding the following new subsection:
 103 9 NEW SUBSECTION . 16. The amount distributed to the state
 103 10 psychiatric hospital administered by the state board of
 103 11 regents from the appropriation in this section shall be
 103 12 reduced to zero.

CODE: Specifies the FY 2008 salary funding for the Psychiatric Hospital at the University of Iowa is eliminated.

103 13 Sec. 96. 2007 Iowa Acts, chapter 218, section 11,
 103 14 unnumbered paragraph 2, is amended to read as follows:
 103 15 For medical assistance reimbursement and associated costs
 103 16 as specifically provided in the reimbursement methodologies in
 103 17 effect on June 30, 2007, except as otherwise expressly
 103 18 authorized by law, including reimbursement for abortion
 103 19 services, which shall be available under the medical
 103 20 assistance program only for those abortions which are
 103 21 medically necessary:
 103 22 \$ 646,771,820

CODE: General Fund Medical Assistance supplemental appropriation for FY 2008 of \$14,821,954 for:

- \$7,321,954 to the DHS to be used for the State share of the Disproportionate Share payment and the IowaCare Account. The funds are available as a result of the reduction of the FY 2008 University of Iowa Psychiatric Hospital appropriation in this Bill.
- \$7,000,000 supplemental appropriation for the Medicaid program.

103 23 631,593,774

103 24 Sec. 97. 2007 Iowa Acts, chapter 218, section 11, is
103 25 amended by adding the following new subsections:
103 26 NEW SUBSECTION . 17. a. Of the funds appropriated in this
103 27 section, \$2,797,719 is allocated for state match for
103 28 disproportionate share hospital payment of \$7,321,954 to
103 29 hospitals that meet both of the following conditions:
103 30 (1) The hospital qualifies for disproportionate share and
103 31 graduate medical education payments.
103 32 (2) The hospital is an Iowa state-owned hospital with more
103 33 than 500 beds and eight or more distinct residency specialty
103 34 or subspecialty programs recognized by the American college of
103 35 graduate medical education.
104 1 b. Distribution of the disproportionate share payment
104 2 shall be made on a monthly basis. The total amount of
104 3 disproportionate share payments including graduate medical
104 4 education, enhanced disproportionate share, and Iowa
104 5 state-owned teaching hospital payments shall not exceed the
104 6 amount of the state's allotment under Pub. L. No. 102=234. In
104 7 addition, the total amount of all disproportionate share
104 8 payments shall not exceed the hospital-specific
104 9 disproportionate share limits under Pub. L. No. 103=66.
104 10 NEW SUBSECTION . 18. Of the funds appropriated in this
104 11 section, \$4,524,235 is transferred to the IowaCare account
104 12 created in section 249J.24 for the fiscal year beginning July
104 13 1, 2007, and ending June 30, 2008.
104 14 NEW SUBSECTION . 19. The department shall immediately
104 15 notify the governor and the general assembly of any changes in
104 16 federal policies or application of policies that impact the
104 17 distribution of hospital disproportionate share payments.

CODE: Requires \$2,797,719 of the funds appropriated for the FY 2008 Medicaid appropriation to be allocated for the State match for Disproportionate Share Payments and \$4,524,235 is to be transferred to the IowaCare Account.

104 18 Sec. 98. 2007 Iowa Acts, chapter 218, section 73,
104 19 subsection 2, is amended to read as follows:
104 20 2. There is appropriated from the IowaCare account created
104 21 in section 249J.24 to the state board of regents for

CODE: IowaCare Account supplemental appropriation of \$15,684,211 for FY 2008 to the Board of Regents for the IowaCare Program.

104 22 distribution to the university of Iowa hospitals and clinics
 104 23 for the fiscal year beginning July 1, 2007, and ending June
 104 24 30, 2008, the following amount, or so much thereof as is
 104 25 necessary, to be used for the purposes designated:
 104 26 For salaries, support, maintenance, equipment, and
 104 27 miscellaneous purposes, for the provision of medical and
 104 28 surgical treatment of indigent patients, for provision of
 104 29 services to members of the expansion population pursuant to
 104 30 chapter 249J, and for medical education:

104 31 \$ ~~10,000,000~~

104 32 25,684,211

104 33 The amount appropriated in this subsection shall be
 104 34 distributed only if expansion population claims adjudicated
 104 35 and paid by the Iowa Medicaid enterprise exceed the
 105 1 appropriation to the state board of regents for distribution
 105 2 to the university of Iowa hospitals and clinics provided in
 105 3 subsection 1. The amount appropriated in this subsection
 105 4 shall be distributed monthly for expansion population claims
 105 5 adjudicated and approved for payment by the Iowa Medicaid
 105 6 enterprise using medical assistance program reimbursement
 105 7 rates.

105 8 Notwithstanding section 8.33, moneys appropriated in this
 105 9 subsection that remain unencumbered or unobligated at the
 105 10 close of the fiscal year shall not revert but shall remain
 105 11 available for expenditure for the purposes designated until
 105 12 the close of the succeeding fiscal year.

105 13 Sec. 99. EFFECTIVE DATE == RETROACTIVE APPLICABILITY.
 105 14 This division of this Act, being deemed of immediate
 105 15 importance, takes effect upon enactment and is retroactively
 105 16 applicable to December 21, 2007.

Requires that the Sections relating to the FY 2008 changes to the University of Iowa's Psychiatric Hospital appropriations and IowaCare Program appropriation take effect on enactment and are retroactive to December 21, 2007.

105 17 DIVISION VII
 105 18 CODE CHANGES

105 19 Sec. 100. Section 28.9, subsection 5, Code 2007, is

CODE: Changes the name of the Community Empowerment Gifts

105 20 amended to read as follows:
105 21 5. A ~~community empowerment gifts and grants~~ first years
105 22 first account is created in the Iowa empowerment fund under
105 23 the authority of the department of management. The account
105 24 shall consist of gift or grant moneys obtained from any
105 25 source, including but not limited to the federal government.
105 26 Moneys credited to the account are appropriated to the
105 27 department of management to be used for the community
105 28 empowerment-related purposes for which the moneys were
105 29 received.

and Grants Account to the First Years First Account.

105 30 Sec. 101. Section 135.22B, subsections 3 and 4, Code
105 31 Supplement 2007, are amended to read as follows:
105 32 3. PURPOSE. The purpose of the brain injury services
105 33 program is to provide services, service funding, or other
105 34 support for persons with a brain injury under ~~one of the~~
105 35 cost=share program component or other components established
106 1 pursuant to this section. Implementation of the cost=share
106 2 component or any other component of the program is subject to
106 3 the funding made available for the program.
106 4 ~~4. GENERAL REQUIREMENTS -- WAIVER=ELIGIBLE COMPONENT.~~
106 5 ~~a. The component of the brain injury services program for~~
106 6 ~~persons eligible for the brain injury services waiver is~~
106 7 ~~subject to the requirements provided in this subsection.~~
106 8 ~~b. If a person is eligible for the brain injury services~~
106 9 ~~waiver and is on the waiting list for the waiver but the~~
106 10 ~~appropriation for the medical assistance program does not have~~
106 11 ~~sufficient funding designated to pay the nonfederal share of~~
106 12 ~~the costs to remove the person from the waiting list, the~~
106 13 ~~brain injury services program may provide the funding for the~~
106 14 ~~nonfederal share of the costs in order for the person to be~~
106 15 ~~removed from the waiting list and receive services under the~~
106 16 ~~waiver.~~
106 17 ~~c. A person who receives support under the waiver=eligible~~
106 18 ~~component is not eligible to receive support under the~~
106 19 ~~cost=share component of the program.~~
106 20 ~~d. Provision of funding under the waiver=eligible~~

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Limits the implementation of the Cost Share Program to available funding. Funding for the Cost Share Program is not provided for FY 2009. Funding for the Brain Injury Waivers in the Brain Injury Services Program of the Department of Public Health has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services for FY 2009 for continued funding of the Brain Injury Waiver.

106 21 component is not an entitlement. Subject to the department of
106 22 human services requirements for the brain injury services
106 23 waiver waiting list, the program administrator shall make the
106 24 final determination whether funding will be authorized under
106 25 this component.

106 26 Sec. 102. Section 135.22B, subsection 5, unnumbered
106 27 paragraph 1, Code Supplement 2007, is amended to read as
106 28 follows:
106 29 The cost=share component of the brain injury services
106 30 program shall be directed to persons who have been determined
106 31 to be ineligible for the brain injury services waiver or
106 32 persons who are eligible for the waiver but funding was not
106 33 authorized or available to provide waiver eligibility for the
106 34 persons under the ~~waiver=eligible component~~. The cost=share
106 35 component is subject to general requirements which shall
107 1 include but are not limited to all of the following:

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Funding for the Brain Injury Waivers has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services.

107 2 Sec. 103. Section 135.22B, subsection 8, paragraph a, Code
107 3 Supplement 2007, is amended to read as follows:
107 4 a. The application materials for services under ~~both the~~
107 5 ~~waiver=eligible and cost=share components~~ component of the
107 6 brain injury services program shall use the application form
107 7 and other materials of the brain injury services waiver. In
107 8 order to apply for the brain injury services program, the
107 9 applicant must authorize the department of human services to
107 10 provide the applicant's waiver application materials to the
107 11 brain injury services program. The application materials
107 12 provided shall include but are not limited to the waiver
107 13 application and any denial letter, financial assessment, and
107 14 functional assessment regarding the person.

CODE: Eliminates the waiver-eligible portion of the Brain Injury Cost Share Services Program in the Department of Public Health. Funding for the Brain Injury Waivers has been added to the Medical Assistance Program (Medicaid) in the Department of Human Services.

107 15 Sec. 104. NEW SECTION. 135.155 EARLY CHILDHOOD IOWA
107 16 COUNCIL.
107 17 1. COUNCIL CREATED. An early childhood Iowa council is

CODE: Establishes an Early Childhood Iowa Advisory Council in the Department of Public Health.

107 18 created as an alliance of stakeholders in early care, health,
107 19 and education systems that affect children ages zero through
107 20 five in Iowa.

107 21 2. PURPOSE. The purpose of the early childhood Iowa
107 22 council is to oversee the development of an Iowa early
107 23 childhood system by integrating the early care, health, and
107 24 education systems addressing the needs of children ages zero
107 25 through five and their families. The council shall advise the
107 26 governor, general assembly, and public and private policy and
107 27 service providers in coordinating activities throughout the
107 28 state to fulfill its purpose.

107 29 3. VISION STATEMENT. All system development activities
107 30 addressed by the early childhood Iowa council shall be aligned
107 31 around the following vision statement for the children of
107 32 Iowa: "Every child, beginning at birth, will be healthy and
107 33 successful."

107 34 4. MEMBERSHIP. The early childhood Iowa council
107 35 membership shall include a representative of any organization
108 1 that touches the lives of young children in the state ages
108 2 zero through five, has endorsed the purpose and vision
108 3 statement for the council, has endorsed the guiding principles
108 4 adopted by the council for the early childhood system, and has
108 5 formally asked to be a member and remains actively engaged in
108 6 council activities. The council shall work to ensure there is
108 7 geographic, cultural, and ethnic diversity among the
108 8 membership.

108 9 5. PROCEDURE. Except as otherwise provided by law, the
108 10 early childhood Iowa council shall determine its own rules of
108 11 procedure and operating provisions.

108 12 6. STEERING COMMITTEE. The early childhood Iowa council
108 13 shall operate with a steering committee to organize, manage,
108 14 and coordinate the activities of the council and its component
108 15 groups. The steering committee may act on behalf of the
108 16 council as necessary. The steering committee membership shall
108 17 consist of the co-chairpersons of the council's component
108 18 groups, the chairperson of the state agency liaison team, the
108 19 community empowerment facilitator or the facilitator's
108 20 designee, and other leaders designated by the council.

108 21 7. COMPONENT GROUPS. The early childhood Iowa council
108 22 shall maintain component groups to address the key components
108 23 of the Iowa early childhood system. Each component group
108 24 shall have one private and one public agency co-chairperson.
108 25 The council may change the component groups as deemed
108 26 necessary by the advisory council. Initially, there shall be
108 27 a component group for each of the following:
108 28 a. Governance planning and administration.
108 29 b. Professional development.
108 30 c. Public engagement.
108 31 d. Quality services and programs.
108 32 e. Resources and funding.
108 33 f. Results accountability.

108 34 8. STATE AGENCY LIAISON TEAM. A state agency liaison team
108 35 shall provide input into the efforts of the early childhood
109 1 Iowa council. In addition to designees of the governor, the
109 2 team shall consist of the directors or chief administrators,
109 3 or their designees, from the following state agencies and
109 4 programs:
109 5 a. Child health specialty clinics.
109 6 b. Office of community empowerment in the department of
109 7 management.
109 8 c. Department of education.
109 9 d. Division of libraries and information services of the
109 10 department of education.
109 11 e. Office of the governor.
109 12 f. Department of human rights.
109 13 g. Department of human services.
109 14 h. Postsecondary education institutions, including but not
109 15 limited to institutions of higher learning under the control
109 16 of the state board of regents and Iowa community colleges.
109 17 i. Department of public health.

109 18 9. DUTIES. In addition to the advisory function specified
109 19 in subsection 2, the early childhood Iowa council's duties
109 20 shall include but are not limited to all of the following
109 21 regarding the Iowa early childhood system:
109 22 a. Coordinate the development and implementation of a
109 23 strategic plan.

109 24 b. Assist in the development of responsibilities across
109 25 agencies and other entities to achieve strategic goals.
109 26 c. Work with the Iowa empowerment board in developing
109 27 public=private partnerships to support the early childhood
109 28 system through the first years first account in the Iowa
109 29 empowerment fund and other efforts for expanding investment of
109 30 private funding in the early childhood system. As this and
109 31 similar efforts to expand and coordinate investments from all
109 32 public and private sources evolve and mature, make
109 33 recommendations for designation of or contracting with a
109 34 private nonprofit organization to serve as a fiscal agent for
109 35 the early childhood system or another approach for increasing
110 1 public and private investment in the system.
110 2 d. Report annually by December 31 to the governor and
110 3 general assembly. The report content shall include but is not
110 4 limited to all of the following:
110 5 (1) The status and results of the council's efforts to
110 6 engage the public regarding the early care, health, and
110 7 education needs of children ages zero through five and the
110 8 efforts to develop and promote private sector involvement with
110 9 the early childhood system.
110 10 (2) The status of the community empowerment initiative and
110 11 the overall early childhood system in achieving the following
110 12 initial set of desired results identified in section 28.2:
110 13 (a) Healthy children.
110 14 (b) Children ready to succeed in school.
110 15 (c) Safe and supportive communities.
110 16 (d) Secure and nurturing families.
110 17 (e) Secure and nurturing early care and education
110 18 environments.

110 19 Sec. 105. NEW SECTION . 135.156 LEAD AGENCY AND OTHER
110 20 STATE AGENCIES.

110 21 1. The lead agency for support of the early childhood Iowa
110 22 council for state agency efforts to develop an early childhood
110 23 system for Iowa shall be the department of public health.
110 24 2. The department shall work with the early childhood Iowa

CODE: Requires the Department of Public Health to be the State
agency responsible for the Early Childhood Iowa Council.

110 25 council in integrating early care, health, and education
110 26 systems to develop an early childhood system for Iowa. The
110 27 department shall do all of the following in developing the
110 28 system:
110 29 a. Work with state agencies to enter into memorandums of
110 30 understanding outlining the agencies' responsibilities in the
110 31 system.
110 32 b. Work with private businesses, foundations, and
110 33 nonprofit organizations in implementing a public-private
110 34 partnership to develop and provide funding for the system.
110 35 c. Maintain an internet site for distributing the
111 1 information provided through the council and its component
111 2 groups.

111 3 Sec. 106. Section 135B.34, Code 2007, is amended by
111 4 striking the section and inserting in lieu thereof the
111 5 following:
111 6 135B.34 HOSPITAL EMPLOYEES == CRIMINAL HISTORY AND ABUSE
111 7 RECORD CHECKS == PENALTY.
111 8 1. Prior to employment of a person in a hospital, the
111 9 hospital shall request that the department of public safety
111 10 perform a criminal history check and the department of human
111 11 services perform child and dependent adult abuse record checks
111 12 of the person in this state. A hospital shall inform all
111 13 persons prior to employment regarding the performance of the
111 14 records checks and shall obtain, from the persons, a signed
111 15 acknowledgment of the receipt of the information. A hospital
111 16 shall include the following inquiry in an application for
111 17 employment: "Do you have a record of founded child or
111 18 dependent adult abuse or have you ever been convicted of a
111 19 crime, in this state or any other state?"
111 20 2. a. If it is determined that a person being considered
111 21 for employment in a hospital has committed a crime, the
111 22 department of public safety shall notify the hospital that
111 23 upon the request of the hospital the department of human
111 24 services will perform an evaluation to determine whether the
111 25 crime warrants prohibition of the person's employment in the

CODE: Requires hospitals to obtain criminal and abuse background checks for hospital employees.

111 26 hospital.

111 27 b. If a department of human services child or dependent
111 28 adult abuse record check shows that the person has a record of
111 29 founded child or dependent adult abuse, the department of
111 30 human services shall notify the hospital that upon the request
111 31 of the hospital the department of human services will perform
111 32 an evaluation to determine whether the founded child or
111 33 dependent adult abuse warrants prohibition of the person's
111 34 employment in the hospital.

111 35 c. An evaluation performed under this subsection shall be
112 1 performed in accordance with procedures adopted for this
112 2 purpose by the department of human services.

112 3 d. (1) If a person owns or operates more than one
112 4 hospital, and an employee of one of such hospitals is
112 5 transferred to another such hospital without a lapse in
112 6 employment, the hospital is not required to request additional
112 7 criminal and child and dependent adult abuse records checks of
112 8 that employee.

112 9 (2) If the ownership of a hospital is transferred, at the
112 10 time of transfer the records checks required by this section
112 11 shall be performed for each employee for whom there is no
112 12 documentation that such records checks have been performed.
112 13 The hospital may continue to employ such employee pending the
112 14 performance of the records checks and any related evaluation.

112 15 3. In an evaluation, the department of human services
112 16 shall consider the nature and seriousness of the crime or
112 17 founded child or dependent adult abuse in relation to the
112 18 position sought or held, the time elapsed since the commission
112 19 of the crime or founded child or dependent adult abuse, the
112 20 circumstances under which the crime or founded child or
112 21 dependent adult abuse was committed, the degree of
112 22 rehabilitation, the likelihood that the person will commit the
112 23 crime or founded child or dependent adult abuse again, and the
112 24 number of crimes or founded child or dependent adult abuses
112 25 committed by the person involved. If the department of human
112 26 services performs an evaluation for the purposes of this
112 27 section, the department of human services has final authority
112 28 in determining whether prohibition of the person's employment

112 29 is warranted.

112 30 4. a. Except as provided in paragraph "b" and subsection

112 31 2, a person who has committed a crime or has a record of

112 32 founded child or dependent adult abuse shall not be employed

112 33 in a hospital licensed under this chapter unless an evaluation

112 34 has been performed by the department of human services.

112 35 b. A person with a criminal or abuse record who is

113 1 employed by a hospital licensed under this chapter and is

113 2 hired by another licensee without a lapse in employment shall

113 3 be subject to the criminal history and abuse record checks

113 4 required pursuant to subsection 1. If an evaluation was

113 5 previously performed by the department of human services

113 6 concerning the person's criminal or abuse record and it was

113 7 determined that the record did not warrant prohibition of the

113 8 person's employment and the latest record checks do not

113 9 indicate a crime was committed or founded abuse record was

113 10 entered subsequent to that evaluation, the person may commence

113 11 employment with the other licensee while the department of

113 12 human services' evaluation of the latest record checks is

113 13 pending. Otherwise, the requirements of paragraph "a" remain

113 14 applicable to the person's employment.

113 15 5. a. If a person employed by a hospital that is subject

113 16 to this section is convicted of a crime or has a record of

113 17 founded child or dependent adult abuse entered in the abuse

113 18 registry after the person's employment application date, the

113 19 person shall inform the hospital of such information within

113 20 forty=eight hours of the criminal conviction or entry of the

113 21 record of founded child or dependent adult abuse. The

113 22 hospital shall act to verify the information within

113 23 forty=eight hours of notification. If the information is

113 24 verified, the requirements of subsections 2, 3, and 4

113 25 regarding employability and evaluations shall be applied by

113 26 the hospital to determine whether or not the person's

113 27 employment is continued. The hospital may continue to employ

113 28 the person pending the performance of an evaluation by the

113 29 department of human services to determine whether prohibition

113 30 of the person's employment is warranted. A person who is

113 31 required by this subsection to inform the person's employer of

113 32 a conviction or entry of an abuse record and fails to do so
113 33 within the required period commits a serious misdemeanor.
113 34 b. If a hospital receives credible information, as
113 35 determined by the hospital, that a person employed by the
114 1 hospital has been convicted of a crime or a record of founded
114 2 child or dependent adult abuse has been entered in the abuse
114 3 registry after employment from a person other than the
114 4 employee and the employee has not informed the hospital of
114 5 such information within the period required under paragraph
114 6 "a", the hospital shall act to verify the credible information
114 7 within forty-eight hours of receipt of the credible
114 8 information. If the information is verified, the requirements
114 9 of subsections 2, 3, and 4 regarding employability and
114 10 evaluations shall be applied by the hospital to determine
114 11 whether or not the person's employment is continued.
114 12 c. The hospital may notify the county attorney for the
114 13 county where the hospital is located of any violation or
114 14 failure by an employee to notify the hospital of a criminal
114 15 conviction or entry of an abuse record within the period
114 16 required under paragraph "a".
114 17 6. A hospital licensed in this state may access the single
114 18 contact repository established by the department pursuant to
114 19 section 135C.33 as necessary for the hospital to perform
114 20 record checks of persons employed or being considered for
114 21 employment by the hospital.

114 22 Sec. 107. Section 135C.33, Code 2007, is amended to read
114 23 as follows:
114 24 135C.33 EMPLOYEES == CHILD OR DEPENDENT ADULT ABUSE
114 25 INFORMATION AND CRIMINAL RECORDS RECORD CHECKS ==
EVALUATIONS
114 26 == APPLICATION TO OTHER PROVIDERS == PENALTY .
114 27 1. ~~Beginning July 1, 1997, prior~~ Prior to employment of a
114 28 person in a facility, the facility shall request that the
114 29 department of public safety perform a criminal history check
114 30 and the department of human services perform a child and
114 31 dependent adult abuse record ~~check~~ checks of the person in

CODE: Requires criminal and abuse background checks for certain health care employees.

114 32 this state. In addition, the facility may request that the
114 33 department of human services perform a child abuse record
114 34 check in this state. Beginning July 1, 1997, a A facility
114 35 shall inform all persons prior to employment regarding the
115 1 performance of the records checks and shall obtain, from the
115 2 persons, a signed acknowledgment of the receipt of the
115 3 information. Additionally, a A facility shall include the
115 4 following inquiry in an application for employment: "Do you
115 5 have a record of founded child or dependent adult abuse or
115 6 have you ever been convicted of a crime, in this state or any
115 7 other state?"

115 8 2. a. If the it is determined that a person being
115 9 considered for employment in a facility has been convicted of
115 10 a crime under a law of any state or has a record of founded
115 11 child or dependent adult abuse , the department of public
115 12 safety shall notify the licensee that upon the request of the
115 13 licensee the department of human services shall, upon the
115 14 facility's request, perform an evaluation will perform an
115 15 evaluation to determine whether the crime or founded child or
115 16 dependent adult abuse warrants prohibition of the person's
115 17 employment in the facility.

115 18 b. If a department of human services child or dependent
115 19 adult abuse record check shows that such person has a record
115 20 of founded child or dependent adult abuse, the department of
115 21 human services shall notify the licensee that upon the request
115 22 of the licensee the department of human services will perform
115 23 an evaluation to determine whether the founded child or
115 24 dependent adult abuse warrants prohibition of employment in
115 25 the facility.

115 26 c. The An evaluation performed under this subsection shall
115 27 be performed in accordance with procedures adopted for this
115 28 purpose by the department of human services.

115 29 d. (1) If a person owns or operates more than one
115 30 facility, and an employee of one of such facilities is
115 31 transferred to another such facility without a lapse in
115 32 employment, the facility is not required to request additional
115 33 criminal and child and dependent adult abuse record checks of
115 34 that employee.

115 35 (2) If the ownership of a facility is transferred, at the
116 1 time of transfer the records checks required by this section
116 2 shall be performed for each employee for whom there is no
116 3 documentation that such records checks have been performed.
116 4 The facility may continue to employ such employee pending the
116 5 performance of the records checks and any related evaluation.
116 6 ~~2. If the department of public safety determines that a~~
116 7 ~~person has committed a crime and is to be employed in a~~
116 8 ~~facility licensed under this chapter, the department of public~~
116 9 ~~safety shall notify the licensee that an evaluation, if~~
116 10 ~~requested by the facility, will be conducted by the department~~
116 11 ~~of human services to determine whether prohibition of the~~
116 12 ~~person's employment is warranted. If a department of human~~
116 13 ~~services child or dependent adult abuse record check shows~~
116 14 ~~that the person has a record of founded child or dependent~~
116 15 ~~adult abuse, the department of human services shall inform the~~
116 16 ~~licensee that an evaluation, if requested by the facility,~~
116 17 ~~will be conducted to determine whether prohibition of the~~
116 18 ~~person's employment is warranted.~~
116 19 3. In an evaluation, the department of human services
116 20 shall consider the nature and seriousness of the crime or
116 21 founded child or dependent adult abuse in relation to the
116 22 position sought or held, the time elapsed since the commission
116 23 of the crime or founded child or dependent adult abuse, the
116 24 circumstances under which the crime or founded child or
116 25 dependent adult abuse was committed, the degree of
116 26 rehabilitation, the likelihood that the person will commit the
116 27 crime or founded child or dependent adult abuse again, and the
116 28 number of crimes or founded child or dependent adult abuses
116 29 committed by the person involved. ~~The~~ If the department of
116 30 human services performs an evaluation for the purposes of this
116 31 section, the department of human services has final authority
116 32 in determining whether prohibition of the person's employment
116 33 is warranted.
116 34 4. a. Except as provided in paragraph "b" and subsection
116 35 2 , a person who has committed a crime or has a record of
117 1 founded child or dependent adult abuse shall not be employed
117 2 in a facility licensed under this chapter unless an evaluation

117 3 has been performed by the department of human services. If
117 4 ~~the department of human services determines from the~~
117 5 ~~evaluation that the person has committed a crime or has a~~
117 6 ~~record of founded child or dependent adult abuse which~~
117 7 ~~warrants prohibition of employment, the person shall not be~~
117 8 ~~employed in a facility licensed under this chapter.~~
117 9 b. A person with a criminal or abuse record who is
117 10 employed by a facility licensed under this chapter and is
117 11 hired by another licensee without a lapse in employment shall
117 12 be subject to the criminal history and abuse record checks
117 13 required pursuant to subsection 1. If an evaluation was
117 14 previously performed by the department of human services
117 15 concerning the person's criminal or abuse record and it was
117 16 determined that the record did not warrant prohibition of the
117 17 person's employment and the latest record checks do not
117 18 indicate a crime was committed or founded abuse record was
117 19 entered subsequent to that evaluation, the person may commence
117 20 employment with the other licensee while the department of
117 21 human services' evaluation of the latest record checks is
117 22 pending. Otherwise, the requirements of paragraph "a" remain
117 23 applicable to the person's employment.
117 24 5. ~~a. Beginning July 1, 1998, this~~ This section shall
117 25 ~~also~~ apply to prospective employees of all of the following,
117 26 if the provider is regulated by the state or receives any
117 27 state or federal funding:
117 28 ~~a. (1)~~ An employee of a homemaker, home=health aide,
117 29 home=care aide, adult day services, or other provider of
117 30 in=home services if the employee provides direct services to
117 31 consumers.
117 32 ~~b. (2)~~ An employee of a hospice, if the employee provides
117 33 direct services to consumers.
117 34 ~~c. (3)~~ An employee who provides direct services to
117 35 consumers under a federal home and community=based services
118 1 waiver.
118 2 ~~d. (4)~~ An employee of an elder group home certified under
118 3 chapter 231B, if the employee provides direct services to
118 4 consumers.
118 5 ~~e. (5)~~ An employee of an assisted living program

118 6 certified under chapter 231C, if the employee provides direct
118 7 services to consumers.

118 8 b. In substantial conformance with the provisions of this
118 9 section, prior to the employment of such an employee, the
118 10 provider shall request the performance of the criminal and
118 11 child and dependent adult abuse record checks and may request
118 12 the performance of the child abuse record checks. The
118 13 provider shall inform the prospective employee and obtain the
118 14 prospective employee's signed acknowledgment. The department
118 15 of human services shall perform the evaluation of any criminal
118 16 record or founded child or dependent adult abuse record and
118 17 shall make the determination of whether a prospective employee
118 18 of a provider shall not be employed by the provider.

118 19 6. a. The department of inspections and appeals, in
118 20 conjunction with other departments and agencies of state
118 21 government involved with criminal history and abuse registry
118 22 information, shall establish a single contact repository for
118 23 facilities and other providers to have electronic access to
118 24 data to perform background checks for purposes of employment,
118 25 as required of the facilities and other providers under this
118 26 section.

118 27 b. The department may access the single contact repository
118 28 for any of the following purposes:

118 29 (1) To verify data transferred from the department's nurse
118 30 aide registry to the repository.

118 31 (2) To conduct record checks of applicants for employment
118 32 with the department.

118 33 7. a. If a person employed by a facility, service, or
118 34 program employer that is subject to this section is convicted
118 35 of a crime or has a record of founded child or dependent adult
119 1 abuse entered in the abuse registry after the person's
119 2 employment application date, the person shall inform the
119 3 employer of such information within forty-eight hours of the
119 4 criminal conviction or entry of the record of founded child or
119 5 dependent adult abuse. The employer shall act to verify the
119 6 information within forty-eight hours of notification. If the
119 7 information is verified, the requirements of subsections 2, 3,
119 8 and 4 regarding employability and evaluations shall be applied

119 9 by the employer to determine whether or not the person's
119 10 employment is continued. The employer may continue to employ
119 11 the person pending the performance of an evaluation by the
119 12 department of human services to determine whether prohibition
119 13 of the person's employment is warranted. A person who is
119 14 required by this subsection to inform the person's employer of
119 15 a conviction or entry of an abuse record and fails to do so
119 16 within the required period commits a serious misdemeanor.
119 17 b. If a facility, service, or program employer receives
119 18 credible information, as determined by the employer, that a
119 19 person employed by the employer has been convicted of a crime
119 20 or a record of founded child or dependent adult abuse has been
119 21 entered in the abuse registry after employment from a person
119 22 other than the employee and the employee has not informed the
119 23 employer of such information within the period required under
119 24 paragraph "a", the employer shall act to verify the credible
119 25 information within forty-eight hours of receipt of the
119 26 credible information. If the information is verified, the
119 27 requirements of subsections 2, 3, and 4 regarding
119 28 employability and evaluations shall be applied to determine
119 29 whether or not the person's employment is continued.
119 30 c. The employer may notify the county attorney for the
119 31 county where the employer is located of any violation or
119 32 failure by an employee to notify the employer of a criminal
119 33 conviction or entry of an abuse record within the period
119 34 required under paragraph "a".

119 35 Sec. 108. Section 135H.3, Code 2007, is amended to read as
120 1 follows:
120 2 135H.3 NATURE OF CARE.
120 3 1. A psychiatric medical institution for children shall
120 4 utilize a team of professionals to direct an organized program
120 5 of diagnostic services, psychiatric services, nursing care,
120 6 and rehabilitative services to meet the needs of residents in
120 7 accordance with a medical care plan developed for each
120 8 resident. Social and rehabilitative services shall be
120 9 provided under the direction of a qualified mental health

CODE: Requires certain third party health coverage providers to pay for certain biologically-based mental health services at psychiatric medical institutions for children (PMICs).

120 10 professional.
 120 11 2. A child who requires treatment for a biologically based
 120 12 mental illness as defined in section 514C.22, and meets the
 120 13 medical assistance program criteria for admission to a
 120 14 psychiatric medical institution for children shall be deemed
 120 15 to meet the acuity criteria for inpatient benefits under a
 120 16 group policy, contract, or plan providing for third-party
 120 17 payment or prepayment of health, medical, and surgical
 120 18 coverage benefits issued by a carrier, as defined in section
 120 19 513B.2, or by an organized delivery system authorized under
 120 20 1993 Iowa Acts, chapter 158, that is subject to section
 120 21 514C.22.

120 22 Sec. 109. Section 217.19, Code 2007, is amended by adding
 120 23 the following new unnumbered paragraph:
 120 24 NEW UNNUMBERED PARAGRAPH . The department of administrative
 120 25 services shall work with the department of human services to
 120 26 develop and implement an expense policy applicable to the
 120 27 members of a board, commission, committee, or other body under
 120 28 the auspices of the department of human services who meet the
 120 29 income requirements for payment of per diem in accordance with
 120 30 section 7E.6, subsection 2. The policy shall allow for the
 120 31 payment of the member's expenses to be addressed through use
 120 32 of direct billings, travel purchase card, prepaid expenses, or
 120 33 other alternative means of addressing the expenses in lieu of
 120 34 reimbursement of the member.

CODE: Requires the Department of Administrative Services and the DHS to develop a policy to provide certain members of boards and commissions with prepayment of certain planned expenditures.

120 35 Sec. 110. Section 225C.40, Code 2007, is amended by adding
 121 1 the following new subsection:
 121 2 NEW SUBSECTION . 4. If a family appeals the termination of
 121 3 a family member who has attained the age of eighteen years,
 121 4 family support subsidy payments for that family member shall
 121 5 be withheld pending resolution of the appeal.

CODE: Suspends family support subsidy payments pending resolution of an appeal.

121 6 Sec. 111. NEW SECTION . 234.47 STATE CHILD CARE
 121 7 ASSISTANCE AND ADOPTION SUBSIDY PROGRAMS == EXPENDITURE

CODE: Requires the Department of Human Services, the Department of Management, and the Legislative Services Agency to

121 8 PROJECTIONS. The department of human services, the department
 121 9 of management, and the legislative services agency shall
 121 10 utilize a joint process to arrive at consensus projections for
 121 11 expenditures for the state child care assistance program under
 121 12 section 237A.13 and adoption subsidy and other assistance
 121 13 provided under section 600.17.

utilize a joint process to arrive at an estimate for child care expenditures and adoption subsidy and other assistance.

121 14 Sec. 112. Section 235B.6, subsection 2, Code Supplement
 121 15 2007, is amended by adding the following new paragraph:
 121 16 NEW PARAGRAPH . f. To a person who submits written
 121 17 authorization from an individual allowing the person access to
 121 18 information on the determination only on whether or not the
 121 19 individual who authorized the access is named in a founded
 121 20 dependent adult abuse report as having abused a dependent
 121 21 adult.

CODE: Adds certain authorized persons to those authorized access to dependent adult abuse information.

121 22 Sec. 113. Section 237A.3, Code 2007, is amended by adding
 121 23 the following new subsection:
 121 24 NEW SUBSECTION . 3. The location at which the child care
 121 25 is provided shall be a single-family residence that is owned,
 121 26 rented, or leased by the person or program providing the child
 121 27 care. For purposes of this subsection, a "single-family
 121 28 residence" includes an apartment, condominium, townhouse, or
 121 29 other individual unit within a multiple unit residential
 121 30 dwelling, but does not include a commercial or industrial
 121 31 building that is primarily used for purposes other than a
 121 32 residence.

CODE: Adds single family residence to the definition of child care homes.

121 33 Sec. 114. Section 237A.3A, subsection 3, Code 2007, is
 121 34 amended by adding the following new paragraph:
 121 35 NEW PARAGRAPH . d. The rules shall require a child
 122 1 development home to be located in a single-family residence
 122 2 that is owned, rented, or leased by the person or, for dual
 122 3 registrations, at least one of the persons who is named on the
 122 4 child development home's certificate of registration. For
 122 5 purposes of this paragraph, a "single-family residence"

CODE: Provides statutory requirements related to single family homes used as child development homes.

122 6 includes an apartment, condominium, townhouse, or other
122 7 individual unit within a multiple unit residential dwelling,
122 8 but does not include a commercial or industrial building that
122 9 is primarily used for purposes other than a residence.

122 10 Sec. 115. Section 237A.5, subsection 2, Code 2007, is
122 11 amended by adding the following new paragraph:
122 12 NEW PARAGRAPH . cc. If a record check performed in
122 13 accordance with paragraph "b" or "c" identifies that an
122 14 individual is a person subject to an evaluation, the
122 15 department shall perform the evaluation in accordance with
122 16 this subsection, even if the application which made the person
122 17 subject to the record check is withdrawn or the circumstances
122 18 which made the person subject to the record check are no
122 19 longer applicable. If the department's evaluation determines
122 20 that prohibition of the person's involvement with child care
122 21 is warranted, the provisions of this subsection regarding such
122 22 a prohibition shall apply.

CODE: Adds additional requirements for the Department of Human Services related to record checks for personnel employed at child care centers.

122 23 Sec. 116. Section 237A.13, subsection 8, Code Supplement
122 24 2007, is amended by striking the subsection.

CODE: Repeals statutory language related to wrap around funding for child care facilities.

122 25 Sec. 117. NEW SECTION . 249A.15A LICENSED MARITAL AND
122 26 FAMILY THERAPISTS AND LICENSED MASTER SOCIAL WORKERS.

122 27 1. The department shall adopt rules pursuant to chapter
122 28 17A entitling marital and family therapists who are licensed
122 29 pursuant to chapter 154D to payment for behavioral health
122 30 services provided to recipients of medical assistance, subject
122 31 to limitations and exclusions the department finds necessary
122 32 on the basis of federal laws and regulations.

122 33 2. The department shall adopt rules pursuant to chapter
122 34 17A entitling master social workers who hold a master's degree
122 35 approved by the board of social work, are licensed as a master
123 1 social worker pursuant to section 154C.3, subsection 1,
123 2 paragraph "b", and provide treatment services under the

CODE: Requires the Department of Human Services to adopt rules making licensed marital and family therapists and licensed social workers eligible for payment for behavioral health services under Medicaid.

123 3 supervision of an independent social worker licensed pursuant
123 4 to section 154C.3, subsection 1, paragraph "c", to payment for
123 5 behavioral health services provided to recipients of medial
123 6 assistance, subject to limitations and exclusions the
123 7 department finds necessary on the basis of federal laws and
123 8 regulations.

123 9 Sec. 118. Section 249J.20, subsections 2 and 4, Code 2007,
123 10 are amended to read as follows:

123 11 2. The council shall meet as often as deemed necessary,
123 12 but shall meet at least ~~quarterly~~ annually . The council may
123 13 use sources of information deemed appropriate, and the
123 14 department and other agencies of state government shall
123 15 provide information to the council as requested. The
123 16 legislative services agency shall provide staff support to the
123 17 council.
123 18 4. The council shall do all of the following:
123 19 a. Make ~~quarterly~~ cost projections for the medical
123 20 assistance program and the expansion population.
123 21 b. Review ~~quarterly~~ reports on all initiatives under this
123 22 chapter, including those provisions in the design,
123 23 development, and implementation phases, and make additional
123 24 recommendations for medical assistance program and expansion
123 25 population reform on an annual basis.
123 26 c. Review annual audited financial statements relating to
123 27 the expansion population submitted by the providers included
123 28 in the expansion population provider network.
123 29 d. Review ~~quarterly~~ reports on the success of the Iowa
123 30 Medicaid enterprise based upon the contractual performance
123 31 measures for each Iowa Medicaid enterprise partner.
123 32 e. Assure that the expansion population is managed at all
123 33 times within funding limitations. In assuring such
123 34 compliance, the council shall assume that supplemental funding
123 35 will not be available for coverage of services provided to the
124 1 expansion population.

CODE: Changes the required meetings of the Medical Assistance
Projections and Assessment Council from quarterly to annually.

124 2 Sec. 119. NEW SECTION . 256.35A IOWA AUTISM COUNCIL.

CODE: Establishes an Iowa Autism Council in the Department of

124 3 1. An Iowa autism council is created to act in an advisory
124 4 capacity to the state in developing and implementing a
124 5 comprehensive, coordinated system to provide appropriate
124 6 diagnostic, intervention, and support services for children
124 7 with autism and to meet the unique needs of adults with
124 8 autism.

124 9 2. a. The council shall consist of thirteen voting
124 10 members appointed by the governor and confirmed by the senate.
124 11 The majority of the voting members shall be individuals with
124 12 autism or members of their families. Additionally, each of
124 13 the following shall be represented among the voting members:

124 14 (1) Autism diagnostic and research specialists.
124 15 (2) Individuals with recognized expertise in utilizing
124 16 best practices for diagnosis, intervention, education, and
124 17 support services for individuals with autism.
124 18 (3) Individuals providing residential services for
124 19 individuals with autism.
124 20 (4) Mental health professionals with background or
124 21 expertise in a pertinent mental health field such as
124 22 psychiatry, psychology, or behavioral health.
124 23 (5) Private insurers.
124 24 (6) Teachers and representatives of area education
124 25 agencies.

124 26 b. In addition, representatives of the department of
124 27 education, the division of vocational rehabilitation of the
124 28 department of education, the department of public health, the
124 29 department of human services, the governor's developmental
124 30 disabilities council, the division of insurance of the
124 31 department of commerce, and the state board of regents shall
124 32 serve as ex officio members of the advisory council. Ex
124 33 officio members shall work together in a collaborative manner
124 34 to serve as a resource to the advisory council. The council
124 35 may also form workgroups as necessary to address specific
125 1 issues within the technical purview of individual members.

125 2 c. Voting members shall serve three-year terms beginning
125 3 and ending as provided in section 69.19, and appointments
125 4 shall comply with sections 69.16 and 69.16A. Vacancies on the
125 5 council shall be filled in the same manner as the original

Education.

125 6 appointment. A person appointed to fill a vacancy shall serve
125 7 only for the unexpired portion of the term. Public members
125 8 shall receive reimbursement for actual expenses incurred while
125 9 serving in their official capacity and may also be eligible to
125 10 receive compensation as provided in section 7E.6.
125 11 d. The council shall elect a chairperson from its voting
125 12 members annually. A majority of the voting members of the
125 13 council shall constitute a quorum.
125 14 e. The department shall convene and provide administrative
125 15 support to the council.
125 16 3. The council shall focus its efforts on addressing the
125 17 unmet needs of individuals with autism at various levels of
125 18 severity and their families. The council shall address all of
125 19 the following:
125 20 a. Early identification by medical professionals of
125 21 autism, including education and training of health care and
125 22 mental health care professionals and the use of best practice
125 23 guidelines.
125 24 b. Appropriate early and intensive early intervention
125 25 services with access to models of training.
125 26 c. Integration and coordination of the medical community,
125 27 community educators, childhood educators, health care
125 28 providers, and community-based services into a seamless
125 29 support system for individuals and their families.
125 30 d. General and special education support services.
125 31 e. In-home support services for families requiring
125 32 behavioral and other supports.
125 33 f. Training for educators, parents, siblings, and other
125 34 family members.
125 35 g. Enhancing of community agency responsiveness to the
126 1 living, learning, and employment needs of adults with autism
126 2 and provision of services including but not limited to respite
126 3 services, crisis intervention, employment assistance, case
126 4 management, and long-term care options.
126 5 h. Financing options including but not limited to medical
126 6 assistance waivers and private health insurance coverage.
126 7 i. Data collection.
126 8 4. The council shall meet quarterly. The council shall

126 9 submit a report to the governor and the general assembly,
126 10 annually by December 15, identifying the needs and making
126 11 recommendations for improving and enhancing the lives of
126 12 individuals with autism and their families.
126 13 5. For the purposes of this section, "autism" means a
126 14 spectrum disorder that includes at various levels of severity,
126 15 autism, Asperger's disorder, pervasive developmental disorder
126 16 not otherwise specified, Rett's syndrome, and childhood
126 17 disintegrative disorder.

126 18 Sec. 120. Section 514I.6, Code 2007, is amended by adding
126 19 the following new subsection:
126 20 NEW SUBSECTION . 7. Provide qualified child health plans
126 21 to eligible children. A participating insurer shall not
126 22 require participation by a provider in other health insurance
126 23 products of the participating insurer as a condition of
126 24 participation in the qualified child health plan.

CODE: Requires participating insurers in the hawk-i Program to provide qualified health plans to eligible children.

126 25 Sec. 121. Section 642.2, subsection 4, Code 2007, is
126 26 amended to read as follows:
126 27 4. Notwithstanding subsections 2, 3, and 6, and 7, any
126 28 moneys owed to the child support obligor by the state, with
126 29 the exception of unclaimed property held by the treasurer of
126 30 state pursuant to chapter 556, and payments owed to the child
126 31 support obligor through the Iowa public employees' retirement
126 32 system are subject to garnishment, attachment, execution, or
126 33 assignment by the child support recovery unit if the child
126 34 support recovery unit is providing enforcement services
126 35 pursuant to chapter 252B. Any moneys that are determined
127 1 payable by the treasurer pursuant to section 556.20,
127 2 subsection 2, to the child support obligor shall be subject to
127 3 setoff pursuant to section 8A.504, notwithstanding any
127 4 administrative rule pertaining to the child support recovery
127 5 unit limiting the amount of the offset.

CODE: Requires certain unclaimed property of the State to be included in the child support recovery determinations.

127 6 Sec. 122. 2005 Iowa Acts, chapter 167, section 61, is

CODE: Requires the Board of Regents to convene a work group to

127 7 amended by striking the section and inserting in lieu thereof
127 8 the following:
127 9 SEC. 61. INMATES, STUDENTS, PATIENTS, AND FORMER INMATES
127 10 OF STATE INSTITUTIONS == REVIEW.

127 11 1. The president of the state board of regents shall
127 12 convene a workgroup comprised of the president or the
127 13 president's designee, the director of the department of
127 14 corrections or the director's designee, the director of the
127 15 department of human services or the director's designee, and a
127 16 representative of the university of Iowa hospitals and clinics
127 17 to review the provision of treatment and care to the inmates,
127 18 students, patients, and former inmates specified in sections
127 19 263.21 and 263.22. The review shall determine all of the
127 20 following:

127 21 a. The actual cost to the university of Iowa hospitals and
127 22 clinics to provide care and treatment to the inmates,
127 23 students, patients, and former inmates on an annual basis.
127 24 The actual cost shall be determined utilizing Medicare cost
127 25 accounting principles.

127 26 b. The number of inmates, students, patients, and former
127 27 inmates provided treatment at the university of Iowa hospitals
127 28 and clinics, annually.

127 29 c. The specific types of treatment and care provided to
127 30 the inmates, students, patients, and former inmates.

127 31 d. The existing sources of revenue that may be available
127 32 to pay for the costs of providing care and treatment to the
127 33 inmates, students, patients, and former inmates.

127 34 e. The cost to the department of human services, the Iowa
127 35 department of corrections, and the state board of regents to
128 1 provide transportation and staffing relative to provision of
128 2 care and treatment to the inmates, students, patients, and
128 3 former inmates at the university of Iowa hospitals and
128 4 clinics.

128 5 f. The effect of any proposed alternatives for provision
128 6 of care and treatment for inmates, students, patients, or
128 7 former inmates, including the proposed completion of the
128 8 hospital unit at the Iowa state penitentiary at Fort Madison.

128 9 2. The workgroup shall submit a report of its findings to

review treatment and care of inmates, students, patients, and former inmates at the University of Iowa Hospitals and Clinics. Requires a report to be submitted to the Governor and General Assembly by December 31, 2008.

128 10 the governor and the general assembly no later than December
128 11 31, 2008. The report shall also include any recommendations
128 12 for improvement in the provision of care and treatment to
128 13 inmates, students, patients, and former inmates, under the
128 14 control of the department of human services, the Iowa
128 15 department of corrections, and the state board of regents.

128 16 Sec. 123. MEDICAID STATE PLAN == MARITAL AND FAMILY
128 17 THERAPISTS AND LICENSED MASTER SOCIAL WORKERS.

128 18 1. The department of human services shall amend the
128 19 medical assistance state plan to allow marital and family
128 20 therapists licensed in the state to be participating
128 21 behavioral health providers under the medical assistance
128 22 program.

128 23 2. The department of human services shall amend the
128 24 medical assistance state plan to allow master social workers
128 25 who hold a master's degree approved by the board of social
128 26 work, are licensed as a master social worker pursuant to
128 27 section 154C.3, subsection 1, paragraph "b", and provide
128 28 treatment services under the supervision of an independent
128 29 social worker licensed pursuant to section 154C.3, subsection
128 30 1, paragraph "c", to be participating behavioral health
128 31 services providers under the medical assistance program.

Requires the Department of Human Services to amend the State Medicaid plan to include marital and family therapists in the list of participating behavioral health providers. Also requires addition of persons with a masters in social work.

128 32 DIVISION VIII
128 33 DOMESTIC VIOLENCE

128 34 Sec. 124. Section 236.2, Code 2007, is amended by adding
128 35 the following new subsection:
129 1 NEW SUBSECTION . 4A. "Household pet" means pet as defined
129 2 in section 198.3.

CODE: Provides a definition for household pet for purposes of no-contact court orders.

129 3 Sec. 125. Section 236.3, subsection 6, Code 2007, is
129 4 amended to read as follows:
129 5 6. Name and age of each child under eighteen whose welfare

CODE: Adds reference to household pets for purposes of no-contact court orders.

129 6 may be affected by the controversy. The petition may also
129 7 specify household pets which may be affected by the
129 8 controversy.

129 9 Sec. 126. Section 236.4, subsection 2, Code 2007, is
129 10 amended to read as follows:
129 11 2. The court may enter any temporary order it deems
129 12 necessary to protect the plaintiff from domestic abuse prior
129 13 to the hearing, including temporary custody or visitation
129 14 orders or temporary orders relating to household pets, upon
129 15 good cause shown in an ex parte proceeding. Present danger of
129 16 domestic abuse to the plaintiff constitutes good cause for
129 17 purposes of this subsection.

129 18 a. The court may award temporary custody of or establish
129 19 temporary visitation rights with regard to children under
129 20 eighteen years of age. In awarding temporary custody or
129 21 temporary visitation rights, the court shall give primary
129 22 consideration to the safety of the alleged victim and the
129 23 children. Prior to the entry of any temporary order pursuant
129 24 to this subsection related to a child=custody determination as
129 25 defined in section 598B.102, the plaintiff shall comply with
129 26 the provisions of section 598B.209. If the court finds that
129 27 the safety of the alleged victim will be jeopardized by
129 28 unsupervised or unrestricted visitation, the court shall set
129 29 conditions or restrict visitation as to time, place, duration,
129 30 or supervision, or deny visitation entirely, as needed to
129 31 guard the safety of the victim and the children. The court
129 32 shall also determine whether any other existing orders
129 33 awarding custody or visitation should be modified.

129 34 b. The court may issue a temporary order granting the
129 35 petitioner the exclusive care, possession, or control of a
130 1 household pet specified in the petition which may be affected
130 2 by the controversy. In granting temporary care, possession,
130 3 or control of a household pet, the court shall give primary
130 4 consideration to the safety of the alleged victim and the
130 5 children.

CODE: Adds household pets to references for inclusion in no-contact court orders.

130 6 Sec. 127. Section 236.5, subsection 2, Code 2007, is
130 7 amended by adding the following new paragraph:
130 8 NEW PARAGRAPH . bb. That the plaintiff or defendant have
130 9 exclusive care, possession, or control of a household pet
130 10 affected by the controversy.

CODE: Adds household pets to references for inclusion in no-contact court orders.

130 11 DIVISION IX
130 12 TUITION ASSISTANCE == HEALTH CARE
130 13 FACILITY EMPLOYEES

130 14 Sec. 128. TUITION ASSISTANCE FOR INDIVIDUALS SERVING
130 15 INDIVIDUALS WITH DISABILITIES == PILOT PROGRAM.
130 16 1. If the general assembly appropriates moneys for the
130 17 establishment of a tuition assistance pilot program for
130 18 employees of health care facilities serving adults with mental
130 19 illness or mental retardation, the department of education, in
130 20 consultation with the department of human services and the
130 21 community colleges, shall establish a statewide pilot program
130 22 to provide grants to community colleges for the purpose of
130 23 awarding tuition assistance to individuals pursuing a course
130 24 of study leading to a degree applicable to the health care
130 25 workforce and employment by health care facilities that
130 26 provide services to adults with mental illness or mental
130 27 retardation.
130 28 2. Within the limits set by the appropriation for this
130 29 purpose, the departments of education and human services shall
130 30 work collaboratively to develop a system for determining the
130 31 number of hours a student shall work in a health care facility
130 32 in return for a percentage reduction in the student's tuition
130 33 costs.
130 34 3. A participating community college shall enter into an
130 35 agreement with one or more participating health care
131 1 facilities, and may also enter into an agreement with one or
131 2 more local nonprofit public agencies, to match state funds
131 3 provided on a dollar=for=dollar basis for tuition assistance
131 4 for an eligible student who is employed by a participating

Requires the Department of Human Services to establish a tuition assistance pilot project for persons serving individuals with disabilities. This requirement is contingent on funding. Requires the pilot project to provide a grant to a community college. Specifies other requirements of the pilot project.

131 5 health care facility to provide services to adults with mental
131 6 illness or mental retardation. A participating health care
131 7 facility shall agree to provide the community college with the
131 8 number of hours the student has accrued in order that the
131 9 community college may determine the percentage reduction in
131 10 the student's tuition costs.

131 11 4. The grant recipient shall compile and submit
131 12 information regarding the program's implementation and level
131 13 of local participation in the program in the manner prescribed
131 14 by the department. The department shall summarize the
131 15 information and shall submit the information and its findings
131 16 and recommendations in a report to the general assembly by
131 17 January 15 of the fiscal year following the completion of the
131 18 pilot program.

131 19 5. For purposes of this section, unless the context
131 20 otherwise requires:

131 21 a. "Eligible student" means an individual who is a
131 22 resident of Iowa, enrolled in a community college pursuing a
131 23 course of study leading to a degree applicable to the health
131 24 care workforce, and employed by a participating health care
131 25 facility to serve adults with mental illness or mental
131 26 retardation.

131 27 b. "Health care facility" means as defined in section
131 28 135C.1.

131 29 c. "Participating health care facility" means a health
131 30 care facility that has entered into an agreement with a
131 31 community college in accordance with this section and which
131 32 employs an eligible student.

131 33 DIVISION X

131 34 JUVENILE COURT PROCEEDINGS

131 35 Sec. 129. Section 232.2, subsection 4, paragraph e, Code
132 1 Supplement 2007, is amended to read as follows:

132 2 e. The most recent information available regarding the
132 3 child's health and education records, including the date the

CODE: Allows a child aging out of foster care to have access to the most recent health and education records.

132 4 records were supplied to the agency or individual who is the
132 5 child's foster care provider. If the child remains in foster
132 6 care until the age of majority, the child is entitled to
132 7 receive prior to discharge the most recent information
132 8 available regarding the child's health and educational
132 9 records.

132 10 Sec. 130. Section 232.46, subsection 4, Code 2007, is
132 11 amended to read as follows:
132 12 4. A consent decree shall remain in force for ~~six months~~
132 13 up to one year unless the child is sooner discharged by the
132 14 court or by the juvenile court officer or other agency or
132 15 person supervising the child. Upon application of a juvenile
132 16 court officer or other agency or person supervising the child
132 17 made prior to the expiration of the decree and after notice
132 18 and hearing, or upon agreement by the parties, a consent
132 19 decree may be extended for up to an additional ~~six months~~ year
132 20 by order of the court.

CODE: Extends the consent decree timeframe from six months to one year.

132 21 Sec. 131. Section 232.91, subsection 3, Code Supplement
132 22 2007, is amended to read as follows:
132 23 3. Any person who is entitled under section 232.88 to
132 24 receive notice of a hearing concerning a child shall be given
132 25 the opportunity to be heard in any other review or hearing
132 26 involving the child. A foster parent, relative, or other
132 27 individual with whom a child has been placed for preadoptive
132 28 care shall have the right to be heard in any proceeding
132 29 involving the child. If a child is of an age appropriate to
132 30 attend the hearing but the child does not attend, the court
132 31 shall determine if the child was informed of the child's right
132 32 to attend the hearing.

CODE: Permits the court to determine if a child has been informed of their right to attend a hearing.

132 33 DIVISION XI
132 34 INVESTIGATION OF DEATHS AT INSTITUTIONS

132 35 Sec. 132. NEW SECTION . 218.64 INVESTIGATION OF DEATH.

CODE: Requires the County Medical Examiner to conduct a

133 1 1. For the purposes of this section, unless the context
 133 2 otherwise requires, "institution" and "resident" mean the same
 133 3 as defined in section 218.13.
 133 4 2. Upon the death of a resident of an institution, the
 133 5 county medical examiner shall conduct a preliminary
 133 6 investigation of the death as provided in section 331.802.
 133 7 The cost of the preliminary investigation shall be paid by the
 133 8 department of human services.

preliminary investigation of deaths at State institutions under the control of the DHS. Requires DHS to pay the costs associated with such investigations.

133 9 Sec. 133. Section 222.12, Code 2007, is amended to read as
 133 10 follows:
 133 11 222.12 DEATHS INVESTIGATED.
 133 12 1. In the event of a sudden or mysterious death
 133 13 of a patient of a resource center or the special unit or any
 133 14 private institution for persons with mental retardation, an , a
 133 15 preliminary investigation of the death shall be held conducted
 133 16 as required by section 218.64 by the county medical examiner
 133 17 as provided in section 331.802 . Such a preliminary
 133 18 investigation shall also be conducted in the event of a sudden
 133 19 or mysterious death of a patient in a private institution for
 133 20 persons with mental retardation. The ~~superintendent of a~~
 133 21 ~~resource center or a special unit or~~ chief administrative
 133 22 officer of any private institution may request an
 133 23 investigation of the death of any patient by the county
 133 24 medical examiner.
 133 25 2. Notice of the death of the patient, and the cause
 133 26 ~~thereof~~ of death , shall be sent to the county board of
 133 27 supervisors and to the judge of the court ~~having~~ that had
 133 28 jurisdiction over a committed patient. The fact of death with
 133 29 the time, place, and alleged cause shall be entered upon the
 133 30 docket of the court.
 133 31 3. The parent, guardian, or other person responsible for
 133 32 the admission of a patient to ~~such institutions~~ a private
 133 33 institution for persons with mental retardation may also
 133 34 ~~request an~~ such a preliminary investigation by the county
 133 35 medical examiner in the event of the death of the patient that
 134 1 is not sudden or mysterious . The person or persons making the

CODE: Requires the County Medical Examiner to conduct a preliminary investigation into deaths at private institutions for persons with mental retardation.

134 2 request ~~shall be~~ are liable for the expense of such
134 3 preliminary investigation and payment ~~therefor~~ for the expense
134 4 may be required in advance. ~~The expense of a county medical~~
134 5 ~~examiner's investigation when requested by the superintendent~~
134 6 ~~of a state resource center or a special unit shall be paid~~
134 7 ~~from support funds of that institution.~~

134 8 Sec. 134. Section 226.34, Code 2007, is amended to read as
134 9 follows:

134 10 226.34 INVESTIGATION OF DEATH == NOTICE.

134 11 1. An ~~Upon the death of a patient, the county medical~~
134 12 ~~examiner shall conduct a preliminary investigation by the~~
134 13 ~~county medical examiner shall be held in those cases where a~~
134 14 ~~death shall occur suddenly and without apparent cause, or a~~
134 15 ~~patient die and the patient's relatives so request, but in the~~
134 16 ~~latter case the relatives making the request shall be liable~~
134 17 ~~for the expense of the same, and payment therefor may be~~
134 18 ~~required in advance~~ as required by section 218.64, in
134 19 accordance with section 331.802 .

134 20 2. When ~~If a patient in any a~~ mental health institute
134 21 ~~shall die~~ dies from any cause, the superintendent of ~~said~~ the
134 22 institute shall within three days of the date of death, send
134 23 by certified mail a written notice of death to all of the
134 24 following :

134 25 ~~4. a.~~ a. The decedent's nearest relative.

134 26 ~~2. b.~~ b. The clerk of the district court of the county from
134 27 which the patient was committed ~~, and~~ .

134 28 ~~3. c.~~ c. The sheriff of the county from which the patient
134 29 was committed.

CODE: Changes the criteria for the County Medical Examiner to investigate deaths at a Mental Health Institute.

134 30 Sec. 135. Section 331.802, subsection 2, Code 2007, is
134 31 amended to read as follows:

134 32 2. a. If a person's death affects the public interest,
134 33 the county medical examiner shall conduct a preliminary
134 34 investigation of the cause and manner of death, prepare a
134 35 written report of the findings, promptly submit the full

CODE: Conforming language for changes related to death investigations at public institutions.

135 1 report to the state medical examiner on forms prescribed for
135 2 that purpose, and submit a copy of the report to the county
135 3 attorney.
135 4 b. For Except as provided in section 218.64 or as
135 5 otherwise provided by law, for each preliminary investigation
135 6 and the preparation and submission of the required reports,
135 7 the county medical examiner shall receive from the county of
135 8 appointment a fee determined by the board plus the examiner's
135 9 actual expenses. The fee and expenses paid by the county of
135 10 appointment shall be reimbursed to the county of appointment
135 11 by the county of the person's residence. However, if the
135 12 person's death is caused by a defendant for whom a judgment of
135 13 conviction and sentence is rendered under section 707.2,
135 14 707.3, 707.4, 707.5, or 707.6A, the county of the person's
135 15 residence may recover from the defendant the fee and expenses.
135 16 c. The fee and expenses of the county medical examiner who
135 17 performs an autopsy or conducts an investigation of a person
135 18 who dies after being brought into this state for emergency
135 19 medical treatment by or at the direction of an out-of-state
135 20 law enforcement officer or public authority shall be paid by
135 21 the state. A claim for payment shall be filed with the Iowa
135 22 department of public health. If moneys are not appropriated
135 23 to the Iowa department of public health for the payment of
135 24 autopsies under this ~~subsection~~ paragraph, claims for payment
135 25 shall be forwarded to the state appeal board and, if
135 26 authorized by the board, shall be paid out of moneys in the
135 27 general fund of the state not otherwise appropriated.

135 28 Sec. 136. Section 331.802, subsection 3, Code 2007, is
135 29 amended by adding the following new paragraph:
135 30 NEW PARAGRAPH . k. Death of a person committed or admitted
135 31 to a state mental health institute, a state resource center,
135 32 the state training school, or the Iowa juvenile home.

CODE: Adds investigations of deaths at public institutions to the
duties of County Medical Examiners.

Summary Data

General Fund

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|---------------------------|--------------------------------|--------------------------------|--------------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| Health and Human Services | \$ 1,196,179,410 | \$ 1,176,532,368 | \$ 1,207,615,634 | \$ 31,083,266 | |
| Grand Total | <u><u>\$ 1,196,179,410</u></u> | <u><u>\$ 1,176,532,368</u></u> | <u><u>\$ 1,207,615,634</u></u> | <u><u>\$ 31,083,266</u></u> | |

Health and Human Services

General Fund

| | Actual FY 2007 (1) | Estimated FY 2008 (2) | Senate Action FY 2009 (3) | Senate Action vs. Est 2008 (4) | Page and Line # (5) |
|--|--------------------------|-----------------------------|---------------------------------|--------------------------------------|---------------------------|
| <u>Elder Affairs, Department of</u> | | | | | |
| Elder Affairs, Department of | | | | | |
| Aging Programs | \$ 4,328,306 | \$ 4,866,698 | \$ 4,851,698 | \$ -15,000 | PG 1 LN 10 |
| Total Elder Affairs, Department of | \$ 4,328,306 | \$ 4,866,698 | \$ 4,851,698 | \$ -15,000 | |
| <u>Public Health, Department of</u> | | | | | |
| Public Health, Department of | | | | | |
| Addictive Disorders | \$ 2,453,890 | \$ 2,002,149 | \$ 1,532,149 | \$ -470,000 | PG 2 LN 29 |
| Healthy Children and Families | 2,369,438 | 2,536,913 | 2,636,913 | 100,000 | PG 3 LN 4 |
| Chronic Conditions | 1,742,840 | 1,842,840 | 2,242,840 | 400,000 | PG 4 LN 14 |
| Community Capacity | 1,758,147 | 1,760,532 | 1,760,532 | 0 | PG 4 LN 31 |
| Elderly Wellness | 9,233,985 | 9,233,985 | 9,233,985 | 0 | PG 5 LN 19 |
| Environmental Hazards | 626,960 | 747,960 | 747,960 | 0 | PG 5 LN 23 |
| Infectious Diseases | 1,279,963 | 1,658,286 | 1,701,974 | 43,688 | PG 5 LN 32 |
| Public Protection | 8,232,581 | 2,845,658 | 2,798,513 | -47,145 | PG 6 LN 9 |
| Resource Management | 1,045,407 | 1,205,933 | 1,205,933 | 0 | PG 7 LN 2 |
| 211 Call Centers | 0 | 200,000 | 0 | -200,000 | |
| Total Public Health, Department of | \$ 28,743,211 | \$ 24,034,256 | \$ 23,860,799 | \$ -173,457 | |
| <u>Human Services, Department of</u> | | | | | |
| Human Services - General Administration | | | | | |
| General Administration | \$ 15,099,888 | \$ 16,782,706 | \$ 16,682,067 | \$ -100,639 | PG 45 LN 18 |
| Human Services - Field Operations | | | | | |
| Child Support Recoveries | \$ 8,502,360 | \$ 10,469,844 | \$ 14,951,757 | \$ 4,481,913 | PG 18 LN 3 |
| Field Operations | 60,165,029 | 66,555,087 | 66,852,732 | 297,645 | PG 45 LN 5 |
| Total Human Services - Field Operations | \$ 68,667,389 | \$ 77,024,931 | \$ 81,804,489 | \$ 4,779,558 | |
| Human Services - Toledo Juvenile Home | | | | | |
| Toledo Juvenile Home | \$ 6,927,794 | \$ 7,579,484 | \$ 7,579,484 | \$ 0 | PG 30 LN 26 |
| Human Services - Eldora Training School | | | | | |
| Eldora Training School | \$ 10,954,842 | \$ 11,948,327 | \$ 11,948,327 | \$ 0 | PG 30 LN 31 |
| Human Services - Cherokee CCUSO | | | | | |
| Civil Commit. Unit for Sex Offenders | \$ 4,971,523 | \$ 6,523,524 | \$ 6,492,008 | \$ -31,516 | PG 44 LN 17 |

Health and Human Services

General Fund

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|--|-------------------------|-------------------------|--------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| Human Services - Cherokee | | | | | |
| Cherokee MHI | \$ 5,273,361 | \$ 5,727,743 | \$ 5,727,743 | \$ 0 | PG 39 LN 25 |
| Human Services - Clarinda | | | | | |
| Clarinda MHI | \$ 6,409,501 | \$ 7,023,073 | \$ 7,023,073 | \$ 0 | PG 39 LN 31 |
| Human Services - Independence | | | | | |
| Independence MHI | \$ 9,358,177 | \$ 10,489,724 | \$ 10,495,879 | \$ 6,155 | PG 40 LN 2 |
| Human Services - Mt Pleasant | | | | | |
| Mt Pleasant MHI | \$ 1,228,549 | \$ 1,877,099 | \$ 1,874,721 | \$ -2,378 | PG 40 LN 8 |
| Human Services - Glenwood | | | | | |
| Glenwood Resource Center | \$ 15,641,388 | \$ 19,002,377 | \$ 17,102,330 | \$ -1,900,047 | PG 40 LN 20 |
| Human Services - Woodward | | | | | |
| Woodward Resource Center | \$ 10,109,976 | \$ 13,038,833 | \$ 11,266,164 | \$ -1,772,669 | PG 40 LN 23 |
| Human Services - Assistance | | | | | |
| Family Investment Program/JOBS | \$ 42,608,263 | \$ 42,675,127 | \$ 42,675,127 | \$ 0 | PG 16 LN 7 |
| Medical Assistance | 664,311,610 | 616,771,820 | 646,401,453 | 29,629,633 | PG 18 LN 33 |
| Health Insurance Premium Payment | 654,568 | 673,598 | 566,338 | -107,260 | PG 25 LN 26 |
| Medical Contracts | 14,417,985 | 13,790,558 | 14,165,550 | 374,992 | PG 26 LN 3 |
| State Children's Health Insurance (hawk-i) | 19,703,715 | 14,871,052 | 15,873,103 | 1,002,051 | PG 27 LN 16 |
| State Supplementary Assistance | 18,710,335 | 17,210,335 | 18,310,335 | 1,100,000 | PG 26 LN 19 |
| Child Care Assistance | 21,801,198 | 37,875,701 | 39,298,895 | 1,423,194 | PG 28 LN 26 |
| Child and Family Services | 80,945,373 | 88,520,320 | 88,557,565 | 37,245 | PG 31 LN 6 |
| Adoption Subsidy | 31,446,063 | 31,972,681 | 32,568,872 | 596,191 | PG 37 LN 22 |
| Family Support Subsidy | 1,936,434 | 1,936,434 | 1,936,434 | 0 | PG 38 LN 30 |
| Connors Training | 42,623 | 42,623 | 42,623 | 0 | PG 39 LN 9 |
| MI/MR/DD State Cases | 12,286,619 | 11,067,178 | 13,067,178 | 2,000,000 | PG 41 LN 25 |
| MH/DD Community Services | 18,017,890 | 18,017,890 | 18,017,890 | 0 | PG 42 LN 17 |
| MH/DD Growth Factor | 38,888,041 | 36,888,041 | 54,081,310 | 17,193,269 | PG 75 LN 14 |
| Volunteers | 109,568 | 109,568 | 109,568 | 0 | PG 45 LN 34 |
| Medical Assistance Nursing Facility Reimb. | 10,400,000 | 0 | 0 | 0 | |
| County Suppl. MH/DD Growth | 0 | 12,000,000 | 0 | -12,000,000 | |
| County Specific Allowed Growth-GF | 52,265 | 0 | 0 | 0 | |
| Family Planning | 0 | 0 | 750,000 | 750,000 | PG 46 LN 6 |
| Total Human Services - Assistance | \$ 976,332,550 | \$ 944,422,926 | \$ 986,422,241 | \$ 41,999,315 | |
| Total Human Services, Department of | \$ 1,130,974,938 | \$ 1,121,440,747 | \$ 1,164,418,526 | \$ 42,977,779 | |

Health and Human Services

General Fund

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|---|--------------------------------|--------------------------------|--------------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| <u>Regents, Board of</u> | | | | | |
| Regents, Board of | | | | | |
| University of Iowa - Psychiatric Hospital | \$ 7,043,056 | \$ 7,321,954 | \$ 0 | \$ -7,321,954 | |
| Total Regents, Board of | <u>\$ 7,043,056</u> | <u>\$ 7,321,954</u> | <u>\$ 0</u> | <u>\$ -7,321,954</u> | |
| <u>Veterans Affairs, Department of</u> | | | | | |
| Veterans Affairs, Department of | | | | | |
| General Administration | \$ 532,651 | \$ 863,457 | \$ 1,163,457 | \$ 300,000 | PG 8 LN 18 |
| Iowa Veterans Home | 15,030,248 | 16,728,256 | 12,694,154 | -4,034,102 | PG 8 LN 28 |
| Veterans Trust Fund | 4,500,000 | 500,000 | 0 | -500,000 | |
| Veterans County Grants | 1,000,000 | 750,000 | 600,000 | -150,000 | PG 9 LN 7 |
| War Orphans Educational Assistance | 27,000 | 27,000 | 27,000 | 0 | PG 9 LN 26 |
| Injured Veterans Grant Program | 2,000,000 | 0 | 0 | 0 | |
| Home Ownership Assist. Prog. | 2,000,000 | 0 | 0 | 0 | |
| Total Veterans Affairs, Department of | <u>\$ 25,089,899</u> | <u>\$ 18,868,713</u> | <u>\$ 14,484,611</u> | <u>\$ -4,384,102</u> | |
| Total Health and Human Services | <u><u>\$ 1,196,179,410</u></u> | <u><u>\$ 1,176,532,368</u></u> | <u><u>\$ 1,207,615,634</u></u> | <u><u>\$ 31,083,266</u></u> | |

Summary Data

Other Funds

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|---------------------------|------------------------------|------------------------------|------------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| Health and Human Services | \$ 331,658,782 | \$ 464,558,446 | \$ 474,910,355 | \$ 10,351,909 | |
| Grand Total | <u><u>\$ 331,658,782</u></u> | <u><u>\$ 464,558,446</u></u> | <u><u>\$ 474,910,355</u></u> | <u><u>\$ 10,351,909</u></u> | |

Health and Human Services

Other Funds

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|--|-----------------------|-----------------------|--------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| <u>Elder Affairs, Department of</u> | | | | | |
| Elder Affairs, Department of | | | | | |
| Elder Affairs Operations-SLTF | \$ 8,324,044 | \$ 8,442,707 | \$ 8,442,707 | \$ 0 | PG 56 LN 35 |
| Total Elder Affairs, Department of | \$ 8,324,044 | \$ 8,442,707 | \$ 8,442,707 | \$ 0 | |
| <u>Public Health, Department of</u> | | | | | |
| Public Health, Department of | | | | | |
| Ad. Dis.-Substance Abuse Treatment-GTF | \$ 1,690,000 | \$ 2,215,000 | \$ 4,678,000 | \$ 2,463,000 | PG 7 LN 23 |
| Ad. Dis.-Gambling Treatment Program-GTF | 5,856,571 | 5,255,285 | 2,417,398 | -2,837,887 | PG 7 LN 35 |
| Addictive Disorders-HCTF | 0 | 6,993,754 | 2,955,164 | -4,038,590 | PG 84 LN 17 |
| Healthy Children and Families-HCTF | 0 | 687,500 | 667,700 | -19,800 | PG 85 LN 16 |
| Chronic Conditions-HCTF | 0 | 1,188,981 | 1,164,181 | -24,800 | PG 86 LN 13 |
| Community Capacity-HCTF | 0 | 2,790,000 | 2,790,000 | 0 | PG 86 LN 31 |
| Total Public Health, Department of | \$ 7,546,571 | \$ 19,130,520 | \$ 14,672,443 | \$ -4,458,077 | |
| <u>Human Services, Department of</u> | | | | | |
| Human Services - General Administration | | | | | |
| FIP-TANF | \$ 33,395,225 | \$ 36,890,944 | \$ 26,101,513 | \$ -10,789,431 | PG 10 LN 10 |
| Promise Jobs-TANF | 15,691,865 | 14,993,040 | 13,334,528 | -1,658,512 | PG 10 LN 14 |
| FaDDS-TANF | 2,698,675 | 2,998,675 | 2,998,675 | 0 | PG 10 LN 29 |
| Field Operations-TANF | 17,707,495 | 17,707,495 | 17,707,495 | 0 | PG 10 LN 33 |
| General Administration-TANF | 3,744,000 | 3,744,000 | 3,744,000 | 0 | PG 11 LN 12 |
| Local Admin. Cost-TANF | 2,189,830 | 2,189,830 | 2,189,830 | 0 | PG 11 LN 14 |
| State Day Care-TANF | 15,756,560 | 18,986,177 | 18,986,177 | 0 | PG 11 LN 16 |
| MH/DD Comm. Services-TANF | 4,894,052 | 4,894,052 | 4,894,052 | 0 | PG 12 LN 2 |
| Child & Family Services-TANF | 32,084,430 | 32,084,430 | 32,084,430 | 0 | PG 12 LN 5 |
| Child Abuse Prevention-TANF | 250,000 | 250,000 | 250,000 | 0 | PG 12 LN 7 |
| Training & Technology-TANF | 1,037,186 | 1,037,186 | 1,037,186 | 0 | PG 12 LN 27 |
| HOPES - Transfer to DPH-TANF | 200,000 | 200,000 | 200,000 | 0 | PG 12 LN 31 |
| 0-5 Children-TANF | 7,350,000 | 7,350,000 | 7,350,000 | 0 | PG 12 LN 35 |
| Child Support Recovery-TANF | 200,000 | 200,000 | 200,000 | 0 | PG 13 LN 11 |
| Child Care Direct Assistance-TANF | 0 | 0 | 8,900,000 | 8,900,000 | PG 11 LN 16 |
| Total Human Services - General Administration | \$ 137,199,318 | \$ 143,525,829 | \$ 139,977,886 | \$ -3,547,943 | |

Health and Human Services

Other Funds

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|--|-----------------------|-----------------------|--------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| Human Services - Assistance | | | | | |
| Pregnancy Prevention-TANF | \$ 1,930,067 | \$ 1,930,067 | \$ 1,930,067 | \$ 0 | PG 12 LN 9 |
| Medical Supplemental-SLTF | 65,000,000 | 65,000,000 | 67,500,000 | 2,500,000 | PG 58 LN 16 |
| Medical Contracts-Pharmceutical Settle. | 379,000 | 1,323,833 | 1,323,833 | 0 | PG 59 LN 5 |
| Broadlawns Hospital-ICA | 40,000,000 | 40,000,000 | 40,000,000 | 0 | PG 61 LN 8 |
| State Hospital-Cherokee-ICA | 9,098,425 | 9,098,425 | 3,164,766 | -5,933,659 | PG 61 LN 31 |
| State Hospital-Clarinda-ICA | 1,977,305 | 1,977,305 | 687,779 | -1,289,526 | PG 62 LN 1 |
| State Hospital-Independence-ICA | 9,045,894 | 9,045,894 | 3,146,494 | -5,899,400 | PG 62 LN 6 |
| State Hospital-Mt Pleasant-ICA | 5,752,587 | 5,752,587 | 2,000,961 | -3,751,626 | PG 62 LN 11 |
| Medical Examinations-HCTA | 556,800 | 556,800 | 556,800 | 0 | PG 62 LN 24 |
| Medical Information Hotline-HCTA | 150,000 | 150,000 | 150,000 | 0 | PG 62 LN 28 |
| Insurance Cost Subsidy-HCTA | 1,500,000 | 0 | 0 | 0 | |
| Health Care Premium Impl.-HCTA | 400,000 | 0 | 0 | 0 | |
| Electronic Medical Records-HCTA | 2,000,000 | 0 | 0 | 0 | |
| Health Partnership Activities-HCTA | 550,000 | 550,000 | 900,000 | 350,000 | PG 62 LN 31 |
| Audits, Perf. Eval., Studies-HCTA | 100,000 | 400,000 | 400,000 | 0 | PG 62 LN 34 |
| IowaCare Admin. Costs-HCTA | 930,352 | 930,352 | 1,132,412 | 202,060 | PG 63 LN 2 |
| Acuity Based ICF-MR Case Mix-HCTA | 150,000 | 0 | 0 | 0 | |
| Provider Incentive Pmt Prog.-HCTA | 50,000 | 0 | 0 | 0 | |
| Dental Home for Children-HCTA | 0 | 1,186,475 | 500,000 | -686,475 | PG 63 LN 4 |
| Mental Health Trans. Pilot-HCTA | 0 | 250,000 | 250,000 | 0 | PG 63 LN 17 |
| Children's Health Insurance-HCTF | 0 | 8,329,570 | 0 | -8,329,570 | |
| Medical Assistance-HCTF | 0 | 99,518,096 | 113,690,856 | 14,172,760 | PG 89 LN 19 |
| MH/MR/DD Growth-HCTF | 0 | 7,592,099 | 7,592,099 | 0 | PG 89 LN 24 |
| County Specific Allowed Growth-PTRF | 243,084 | 0 | 0 | 0 | |
| Elder Abuse Initiative - HCTA | 0 | 0 | 200,000 | 200,000 | PG 63 LN 32 |
| Pregnancy Counseling Services - HCTA | 0 | 0 | 200,000 | 200,000 | PG 64 LN 1 |
| Tuition Assistance - HCTA | 0 | 0 | 500,000 | 500,000 | PG 63 LN 19 |
| Medical Assistance - PTRF | 0 | 0 | 624,000 | 624,000 | PG 65 LN 25 |
| IowaCare Broadlawns Admin-HCTA | 0 | 0 | 230,000 | 230,000 | PG 100 LN 9 |
| Total Human Services - Assistance | \$ 139,813,514 | \$ 253,591,503 | \$ 246,680,067 | \$ -6,911,436 | |
| Total Human Services, Department of | \$ 277,012,832 | \$ 397,117,332 | \$ 386,657,953 | \$ -10,459,379 | |

Health and Human Services

Other Funds

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|--|------------------------------|------------------------------|------------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| <u>Regents, Board of</u> | | | | | |
| Regents, Board of | | | | | |
| BOR UIHC - IowaCare Expansion Population | \$ 10,000,000 | \$ 10,000,000 | \$ 35,969,365 | \$ 25,969,365 | PG 60 LN 21 |
| BOR UIHC - IowaCare | 27,284,584 | 27,284,584 | 27,284,584 | 0 | PG 59 LN 21 |
| Total Regents, Board of | <u>\$ 37,284,584</u> | <u>\$ 37,284,584</u> | <u>\$ 63,253,949</u> | <u>\$ 25,969,365</u> | |
| <u>Veterans Affairs, Department of</u> | | | | | |
| Veterans Affairs, Department of | | | | | |
| Vets Home Ownership Prog.-VTF | \$ 0 | \$ 200,000 | \$ 0 | \$ -200,000 | |
| Vietnam Veterans Bonus-VTF | 0 | 500,000 | 0 | -500,000 | |
| Total Veterans Affairs, Department of | <u>\$ 0</u> | <u>\$ 700,000</u> | <u>\$ 0</u> | <u>\$ -700,000</u> | |
| <u>Iowa Finance Authority</u> | | | | | |
| Iowa Finance Authority | | | | | |
| Rent Subsidy Program-SLTF | \$ 700,000 | \$ 700,000 | \$ 700,000 | \$ 0 | PG 58 LN 24 |
| Total Iowa Finance Authority | <u>\$ 700,000</u> | <u>\$ 700,000</u> | <u>\$ 700,000</u> | <u>\$ 0</u> | |
| <u>Inspections & Appeals, Department of</u> | | | | | |
| Inspections and Appeals, Department of | | | | | |
| Assisted Living/Adult Day Care-SLTF | \$ 790,751 | \$ 1,183,303 | \$ 1,183,303 | \$ 0 | PG 57 LN 35 |
| Total Inspections & Appeals, Department of | <u>\$ 790,751</u> | <u>\$ 1,183,303</u> | <u>\$ 1,183,303</u> | <u>\$ 0</u> | |
| Total Health and Human Services | <u><u>\$ 331,658,782</u></u> | <u><u>\$ 464,558,446</u></u> | <u><u>\$ 474,910,355</u></u> | <u><u>\$ 10,351,909</u></u> | |

Summary Data

FTE

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|---------------------------|-------------------|----------------------|--------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| Health and Human Services | 6,481.27 | 6,972.08 | 7,108.60 | 136.52 | |
| Grand Total | <u>6,481.27</u> | <u>6,972.08</u> | <u>7,108.60</u> | <u>136.52</u> | |

Health and Human Services

FTE

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|--|-------------------|----------------------|--------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| <u>Elder Affairs, Department of</u> | | | | | |
| Elder Affairs, Department of Aging Programs | 32.11 | 37.50 | 40.50 | 3.00 | PG 1 LN 10 |
| Total Elder Affairs, Department of | 32.11 | 37.50 | 40.50 | 3.00 | |
| <u>Public Health, Department of</u> | | | | | |
| Public Health, Department of | | | | | |
| Addictive Disorders | 4.36 | 4.35 | 6.00 | 1.65 | PG 2 LN 29 |
| Healthy Children and Families | 9.15 | 12.95 | 16.00 | 3.05 | PG 3 LN 4 |
| Chronic Conditions | 2.74 | 4.30 | 5.00 | 0.70 | PG 4 LN 14 |
| Community Capacity | 9.49 | 10.75 | 12.00 | 1.25 | PG 4 LN 31 |
| Environmental Hazards | 0.68 | 1.75 | 2.00 | 0.25 | PG 5 LN 23 |
| Infectious Diseases | 4.61 | 5.75 | 7.00 | 1.25 | PG 5 LN 32 |
| Public Protection | 117.16 | 125.90 | 128.00 | 2.10 | PG 6 LN 9 |
| Resource Management | 3.71 | 9.00 | 10.00 | 1.00 | PG 7 LN 2 |
| Addictive Disorders-HCTF | 0.00 | 4.00 | 5.00 | 1.00 | PG 84 LN 17 |
| Healthy Children and Families-HCTF | 0.00 | 0.50 | 1.00 | 0.50 | PG 85 LN 16 |
| Chronic Conditions-HCTF | 0.00 | 1.00 | 1.00 | 0.00 | PG 86 LN 13 |
| Community Capacity-HCTF | 0.00 | 2.00 | 6.00 | 4.00 | PG 86 LN 31 |
| Total Public Health, Department of | 151.90 | 182.25 | 199.00 | 16.75 | |
| <u>Human Services, Department of</u> | | | | | |
| Human Services - General Administration | | | | | |
| General Administration | 282.03 | 353.00 | 407.50 | 54.50 | PG 45 LN 18 |
| Human Services - Field Operations | | | | | |
| Child Support Recoveries | 464.90 | 519.00 | 515.00 | -4.00 | PG 18 LN 3 |
| Field Operations | 1,919.76 | 2,046.71 | 2,130.68 | 83.97 | PG 45 LN 5 |
| Total Human Services - Field Operations | 2,384.66 | 2,565.71 | 2,645.68 | 79.97 | |
| Human Services - Toledo Juvenile Home | | | | | |
| Toledo Juvenile Home | 116.42 | 126.00 | 126.00 | 0.00 | PG 30 LN 26 |
| Human Services - Eldora Training School | | | | | |
| Eldora Training School | 189.69 | 201.95 | 202.70 | 0.75 | PG 30 LN 31 |

Health and Human Services

FTE

| | Actual FY 2007 | Estimated FY 2008 | Senate Action FY 2009 | Senate Action vs. Est 2008 | Page and Line # |
|---|-------------------|----------------------|--------------------------|-------------------------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) |
| Human Services - Cherokee CCUSO | | | | | |
| Civil Commit. Unit for Sex Offenders | 74.37 | 95.15 | 94.50 | -0.65 | PG 44 LN 17 |
| Human Services - Cherokee | | | | | |
| Cherokee MHI | 207.04 | 214.50 | 210.00 | -4.50 | PG 39 LN 25 |
| Human Services - Clarinda | | | | | |
| Clarinda MHI | 103.64 | 109.95 | 109.95 | 0.00 | PG 39 LN 31 |
| Human Services - Independence | | | | | |
| Independence MHI | 283.25 | 287.66 | 287.66 | 0.00 | PG 40 LN 2 |
| Human Services - Mt Pleasant | | | | | |
| Mt Pleasant MHI | 101.22 | 116.44 | 116.44 | 0.00 | PG 40 LN 8 |
| Human Services - Glenwood | | | | | |
| Glenwood Resource Center | 904.34 | 938.88 | 938.88 | 0.00 | PG 40 LN 20 |
| Human Services - Woodward | | | | | |
| Woodward Resource Center | 712.69 | 733.64 | 733.64 | 0.00 | PG 40 LN 23 |
| Human Services - Assistance | | | | | |
| Family Investment Program/JOBS | 15.33 | 16.50 | 0.00 | -16.50 | PG 16 LN 7 |
| Health Insurance Premium Payment | 16.76 | 21.00 | 21.00 | 0.00 | PG 25 LN 26 |
| Medical Contracts | 7.47 | 6.00 | 6.00 | 0.00 | PG 26 LN 3 |
| Total Human Services - Assistance | <u>39.55</u> | <u>43.50</u> | <u>27.00</u> | <u>-16.50</u> | |
| Total Human Services, Department of | <u>5,398.90</u> | <u>5,786.38</u> | <u>5,899.95</u> | <u>113.57</u> | |
| <u>Veterans Affairs, Department of</u> | | | | | |
| Veterans Affairs, Department of | | | | | |
| General Administration | 5.08 | 14.00 | 17.20 | 3.20 | PG 8 LN 18 |
| Iowa Veterans Home | 893.27 | 951.95 | 951.95 | 0.00 | PG 8 LN 28 |
| Total Veterans Affairs, Department of | <u>898.35</u> | <u>965.95</u> | <u>969.15</u> | <u>3.20</u> | |
| Total Health and Human Services | <u>6,481.27</u> | <u>6,972.08</u> | <u>7,108.60</u> | <u>136.52</u> | |